

Tenth Series, Vol. XXV, No. 24

Saturday, August 28, 1993

Bhadra 6, 1915 (Saka)

# LOK SABHA DEBATES

## (English Version)

Seventh Session  
(Tenth Lok Sabha)



*(Vol. XXV contains Nos. 21 to 24)*

LOK SABHA SECRETARIAT  
NEW DELHI

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## LOK SABHA DEBATES

### LOK SABHA

*Saturday, August 28, 1993/Bhadra 6, 1915  
(Saka)*

*The Lok Sabha met at Eleven of the Clock*

[MR. SPEAKER in the Chair]

[English]

MR. SPEAKER: I think today happens to be the last day of the Session.

*(Interruptions)*

MR. SPEAKER: We will give opportunities mainly to the Members sitting on the back benches. I said mainly.

[Translation]

SIIRI MOHAN SINGH (Deoria): Please follow the middle path.

MR. SPEAKER: If the middle path is adopted how long I can give chance to the members sitting in the middle?

[English]

SHRI SOMNATH CHATTERJEE (Bolpur): One exception!

MR. SPEAKER: Then you start, Shri Somnath Chatterjee.

SHRI SOMNATH CHATTERJEE: Mr. Speaker, Sir, I am glad for getting this opportunity on the last day of the Session unless the Government wishes to extend it—I do not know. The issue I am raising is the issue relating to the functioning of the Chief Election Commissioner. Newer and newer, what we call in legal parlance, causes of action arise. He has challenged the validity of the last Election

Commissioner's appointment. He is claiming certain precedents. Same with the Cabinet Ministers, not even Ministers of State. Let him have the advantage and the privileges, I do not know. But the basic question that has been raised in the House still remains totally unresolved.

The question is whether any person, however high official he may be, can hold the whole country to ransom; the entire electoral process to ransom. Can he put a check on the functioning of the democratic system in this country? We have suggested one thing. I cannot say that that was a very original suggestion of mine because we have been suggesting that from 1971 onwards. The unanimous recommendations of different Committees on Electoral Reforms have asked for conversion of the Chief Election Commission into a multi-member body. The Constitution of India provides it for which no fresh law is even necessary. You have to only issue an order under the President's signature for the purpose of constituting a multi-member body. Let somebody at least be there. Let there be a combined decision of the Election Commission.

Sir, our Apex Court, the Supreme Court of India, has specifically recommended that in view of the enormity of powers, very wide powers and discretion that is vested in this office, it is essential that it should not be left in one hand because it may give rise to arbitrariness for which now we have got umpteen and umpteen number of instances. It should be a multi-member body and that has been the suggestion. Now, which election will be held where and when, nobody knows. For some election, probably, military will be called. He wants 17 companies for one election. For that reason, he withheld election. For the Rajya Sabha election, in West Bengal, he sent only five observers for 294 MLAs! What were they doing? Inside the Legislative Assembly, five observers were there. Then, after the voting was over, counting could not be started until a specific clearance was given from Delhi. After the counting was made, declaration could not be made until a specific clearance was given from Delhi and it took five hours to get the clearance. Is everybody else in India anti-patriotic? Is everybody in India a traitor? Whichever office anybody is holding, nobody has a sense of respect. Any and everybody's

name is being rejected for the appointment of Chief Electoral Officer.

Sir, so far as the Ottapalam Parliamentary constituency election is concerned, he has demanded now seven companies of Central forces. He has threatened again that if it is not done, he will postpone the election. We want the hon. Minister Shri Rajesh Pilot to tell something. Let him say what is the position. Is he going to comply with that? Otherwise that election will also be held up and that will again create certain uncertainty and will create trouble. There was a consensus regarding appointment of a multi-member body. But the Government is dragging its feet as usual. It cannot decide anything. It is a wonderful Government which cannot make up its mind in any matter excepting postponement and procrastination. Procrastination and the Narasimha Rao Government are synonymous. But that is not solving the problem of this country. Will you please wake up now? Through you, Sir, I make a demand of this Government that it should immediately take steps. There was a decision to call a meeting. Shri Vidyacharan Shukla had promised it. He never does it. Now, he has himself made scarce from this House even on the last day of this Session. Therefore, I demand that the Government must announce today as to what they are going to do in this case.

**SHRI M.R. KADAMBUR JANARATHAN** (Tirunelveli): Sir, Shri Somnath Chatterjee has made an appeal. Tamil Nadu should also be included in that appeal.

**SHRI INDRAJIT GUPTA** (Midnapore): Sir, in recent times, we find that there is a multiplication of protracted disputes between different States arising in this country. This is a serious development which, I think, we are not paying adequate attention to. Many of these disputes are evading solution or amicable settlement and are leading sometimes to a confrontational attitude between the different States and the people of those States.

I do not want to raise particular cases. But for example, one can think of the Cauvery Water dispute between Tamil Nadu and Karnataka; Narmada Dam dispute which is going on and which affects three or four States; then the dispute over Belgaum which has been pending for a long long time. Now Article 263 of the Constitution empowers the President to establish an Inter-State Council in the public interest charged with the duty of, I am quoting:

- “(1) inquiring into and advising upon disputes which may have arisen between States;
- (2) investigating and discussing subjects in which some or all of the States, or the Union and one or more of the States have a common interest; or
- (3) making recommendations upon any such subject and, in particular, recommendations for the better coordination of policy and action with respect to that subject.”

In my opinion, it is high time, that this Article 263, which has remained a dead letter in our Constitution be brought into operation. And an Inter-State Council should be constituted by the President's authority to inquire into such inter-State disputes and subjects in which common interest is shared by several States and to make recommendations thereon. It would, in my opinion, be a very useful instrument and play a positive role in de-escalating tensions, bringing disputing parties together for discussion and evolving coordinated policies and actions in respect of subjects concerned.

So, I would urge upon the Government to give its mind to this matter and take necessary steps to see that such an Inter-State Council is brought into being at the earliest possible opportunity.

[Translation]

**SHRI MADAN LAL KHURANA** (South Delhi): Mr. Speaker, Sir, I am very thankful to you for giving me an opportunity to speak.

Our hon. Minister of External Affairs is sitting here and as I have already submitted that in New York, on the occasion of the Independence day of India, Pakistanis opened fire on a procession of 15 or 20 thousand persons who were going to celebrate their Independence day. Some of the people in the procession were injured and Shri Gurmukh Singh, Gurudwara Prabandhak Committee, New Jersey has sustained serious injuries. His parents had met me and I made them available their passport within few hours. I would like to bring this incident into your notice that if such an incident had taken place with Pakistan or had any Pakistani been attacked in this manner, it would have rocked the entire world and Pakistan would have dragged this issue into the U.N.O. But it is very unfortunate that Pakistanis have fired at the group of those 15 or 20

thousand people who were going to celebrate their Independence day of India and the Government of India is sitting silent.

Mr. Speaker, Sir, I would like to know from the Government whether it has given a protest letter to the Government of America or the Government of Pakistan. This is the matter of the honour of the Government of India. Through you, I would like to demand from the hon. Minister of External Affairs to make a statement in this regard. *(Interruptions)*

[English]

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI R.L. BHATIA): Mr. Speaker, Sir, as in the past, Federation of Indian Associations organised Independence Day Parade and a cultural show in New York on August 15. The Parade was addressed by Mayor David N. Dinkins of New York City, Mayor of Jersey City and other prominent Indian Association Leaders and a few film Indian cultural show at 5.00 p.m. As the show was to begin, a group of about twenty persons started waving Pakistan flags and raising anti-Indian and pro-Pakistani slogans. A few Indian youth protested resulting in a scuffle. A U.S. born person of Pakistani descent, Mohammed Ashraf, fired four shots from a semi-automatic pistol at an Indian youth Gurumukh Singh, who is a leader over there and he is a General Secretary with the New Jersey Gurudwara.

Shri Gurumukh Singh has been operated upon in a local hospital where his condition is described as very critical. Our Charge d'affaires and Consul Trehan visited the hospital to see Gurumukh Singh and give moral support to relatives and friends of Gurumukh Singh. Later, they also visited the police station along with Gurumukh Singh's brother.

The Indian community in New York is extremely exercised at the anti-Indian activities of Pakistani elements, their efforts to disrupt the *India Day cultural show and the shooting of an innocent person*. We have taken up the matter with the Mayor of New York City and the Commissioner of Police for taking suitable action against Mohammed Ashraf to find out who was behind this attack and to take appropriate measures against the culprits. We understand that Ashraf has been arrested and we protested to the US Government. We also informed the American Charge d'affaires here and action is

being taken and we are following it up. Gurumukh Singh's parents have been sent there; their visas have been arranged and we are taking it up with the US Government.

MR. SPEAKER: I am allowing each Member to raise only one issue, so that many issues can be raised. Shri Shibu Soren.

[Translation]

SHRI SHIBU SOREN (Dumka): Mr. Speaker, Sir, a dialogue on the Jharkhand movement was held on April 28, 1993 and an agreement was reached to set up a Jharkhand Autonomous Council. The Ministry of Home Affairs returned on July 22, 1993 the Jharkhand Autonomous Council Bill which was duly passed by the Government of Bihar, stating that the Bill along with the Amendment be passed in the current Vidhan Sabha Session, and the State Government did not pass the Bill. The Bihar Government has made several misleading statements a number of times in this regard as a result of which the people in the Jharkhand area are becoming more and more excited. The common people in that area can turn extremely agitated any time. The Jharkhand Saradaliya MLAs and MPs met the hon. Prime Minister and the President on 6th and 7th of August respectively and urged them to declare it a centrally administered territory or set up a Jharkhand Autonomous Council otherwise the Jharkhand Saradaliya Sangarsha Samiti will hold a 'Jharkhand bandh' on 15th September and observe an economic blockade on 16th of September. I, therefore, through you, want to draw the attention of the Government to the above mentioned issues in the public interest and urge the Government that it should make immediate announcement for a solution of the Jharkhand problem.

SHRI SURAJ MANDAL (Goddā): I, also want to speak in this regard.

MR. SPEAKER: Other hon. Members have also to speak. Your issue was important, therefore, I allowed you to speak. If you want to speak for the sake of speaking only, the House is not meant for it. This issue is to ventilate the grievances of the people.

SHRI SURAJ MANDAL: Mr. Speaker, Sir, I have given a notice.

MR. SPEAKER: You have raised this question earlier also.

*(Interruptions)*

SHRI NITISH KUMAR (Barh): We should be allowed to speak at least for one minute on this issue.

MR. SPEAKER: If you are given time then what should I do for others?

*(Interruptions)*

SHRI SURAJ MANDAL: Mr. Speaker, Sir, there will be a 'Jharkhand bandh' on the 15th of September and thereafter there will be an economic blockade. This will create a severe resentment among the people of that area. It is the last day of the session. I would like to request the hon. Minister of Home Affairs to express his views in this regard as to what does he propose to do if the Government of Bihar does not pass the Bill. He may kindly point out whether he will do something or not. Otherwise we will have to take resort to violent measures. I, therefore, request you to ask him to give a statement in this regard. *(Interruptions)*

SHRI NITISH KUMAR: Mr. Speaker, Sir, we have expressed our opinion regarding the issue raised by Shri Shibu Soren in the House. Mr. Speaker, Sir, since he has raised this issue again. *(Interruptions)*

*[English]*

MR. SPEAKER: It is not necessary. You are not expected to reply. On whose behalf are you replying?

*[Translation]*

SHRI NITISH KUMAR: But there is the Janata Dal Government there.

*[English]*

MR. SPEAKER: He has brought it to the notice of the Government. You are not replying on behalf of the Government here.

*[Translation]*

SHRI NITISH KUMAR: Alongwith it, other point of view must be sought.

MR. SPEAKER: Shri Nitish Kumarji you take pride in breaking the rules. Whatever the agreement may be you take pride in breaking the rules.

SHRI NITISH KUMAR: Mr. Speaker, Sir, it will amount to be injustice to our views.

MR. SPEAKER: All right. Please speak after some time.

SHRI NITISH KUMAR: I would conclude in a few sentences only. Mr. Speaker, Sir, we have no information regarding the dialogues held between the Government of India and the Jharkhand leaders. So far as the solution to this problem is concerned, our party and we all are interested to solve this problem. But the Government of Bihar must be taken into confidence in settling the issue and the Government of India cannot take any decision unless the Bill is brought in the Bihar legislature. I, therefore, would like to request the Government that the Jharkhand issue should be considered as a whole. It is an issue related with four States. Unless the legislatures of all the concerned States are taken into confidence and the consensus is reached, there can be no permanent solution to this problem. If there is a question of creating a new State, a State Reorganisation Commission should be appointed therefor. Any proposal or plan to divide Bihar only cannot be accepted. I want to submit to you only this much that this problem should be solved on the basis of dialogue between all the concerned parties.

SHRI KARIA MUNDA (Khunti): The Government of Bihar does not want to solve it at all...*(interruptions)*...

MR. SPEAKER: Please take your seat. If you want discussion on this issue I will allow one hour for the discussion. Thereafter, none of you would be given time to speak.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): Mr. Speaker, Sir, the agitation on Jharkhand is not a recent development, it has been going on for the last 25 or 30 years, or perhaps even before this period and this issue witnessed many developments. Three months ago a discussion was held on 28th of April among the Jharkhand leaders, the Chief Minister of Bihar, his officials and the representatives of the Government of India. This discussion continued for 18 or 19 hours; it started at 3.00 P.M. and lasted at 7.30 a.m. when the discussion was going on, Shri Sitaram Kesri was also called because his presence was felt necessary. We talked with each of the leaders and we arrived at an agreement at 7 a.m. We all were unanimous but one subject remained unsolved as to what subjects should be given to the council. Our Jharkhand Mukti Morcha colleagues

were emphasising that the law and order department should be brought under the council. I was also opposed to it because the law and order department must remain with the State and perhaps we might not keep it under the council. Again it was decided that the issue on which we have differences should be referred to the State Legislative Assembly as has been the practice here. The legislative Assembly should discuss it and whatever it decides after the discussion, we all should follow the same; whatever subjects, it wants to handover the council should be given to it. We have had such discussion with them.

I would like to point out very honestly that they had signed the agreement but when it was the turn of the Chief Minister to sign it, he told that it would not be proper for him to sign it there. It would be better if it was referred to the Legislative Assembly first before I signed it. This was the understanding among us after the prolonged discussion. Thereafter they went to their homes. The Chief Minister left for Patna at 7.30 or 7.45 a.m. Thereafter I sent some officers and conveyed a message through them to the Chief Minister that he should decide as to what issues he wants to put before the Legislature and when does he want to raise it there. The information sent on his behalf was that he wanted to consult his colleagues in the Opposition. He would like to have a detailed discussion with them and only then he could be able to say something. We kept on waiting and had talks with Shri Laloo Prasad 2 or 3 times. Our special secretary had a talk with the State Chief Secretary. At last the State Government had informed us of its decision that after a detailed discussion, whatever the Government of India wanted, it should send the whole issue to the Bihar Assembly alongwith the comments of the Government of India. We gave our comments and what we discussed there was conveyed to the Government of Bihar.

Yesterday I had a dialogue with the Leader of the Opposition in Bihar Dr. Jagannath Mishra. I asked him as to what was going on in this regard. He told me that the Chief Minister had informed him that he would call a special Assembly Session and introduce the council Bill in the Assembly. The Leader of the Opposition of Bihar pointed out it to me yesterday.

But I could not be able to talk with the Chief Minister to find out the fact whether he has

issued any notification or he has taken any initiative in this regard or not. I would like to point out in this august House that it has been a long-standing demand of the area that they should be given autonomy and an opportunity to work there. The Central Government has agreed to provide there a Council and the Prime Minister has stated in his speech that he agrees for the Jharkhand Council. For the sake of the development of this area our sentiments are alike with yours and we all are ready to support you. I, therefore, would like to request Shri Shibu Soren that he should not talk about agitation. I request him to see the Chief Minister and get this proposal passed during the special session of the Assembly so that this Council can be set up. *(Interruptions)*

SHRI SURAJ MANDAL: Mr. Speaker, Sir, from the 15th of September.. *(Interruptions)\**

*[English]*

MR. SPEAKER: What Mr. Mandal is saying is not going on record.

*(Interruptions)*

SHRI M. R. KADAMBUR JANARTHANAN: Sir, I want to draw the attention of Civil Aviation Ministry to resume the air service to the Tuticorin airport. Tuticorin is a major port city and also an industrial city.

You came and laid the foundation-stone in 1989. It was running well from the revenue side also. There was a fairly good amount of revenue. But from June onwards owing to the Vayudoot services having been merged with the Indian Airlines, the people from the Tuticorin constituency are suffering.

The airport service has to be resumed immediately because it is not only a port city and an industrial city but it has also got very good export and import trade. Therefore, I draw the attention of the Civil Aviation Ministry to resume the air service to Tuticorin airport.

SHRI A. CHARLES (Trivandrum): Sir, I would like to draw the attention of the Civil Aviation Minister to the inconvenience caused to the people of Trivandrum who have come to Delhi. There was an Airbus from Delhi to Trivandrum, capital of Kerala.

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\*Not recorded.

MR. SPEAKER: You are making the Parliament a complaint box.

SHRI A. CHARLES: No, Sir. This is a very serious issue. That was stopped at the time of strike. We were assured that will be resumed. Yesterday, an hon. Member of Parliament from Rajya Sabha went to the airport and he was delayed. There was no connection. This was the only flight.

I would plead that the earlier Airbus from New Delhi to Trivandrum may be restored. *(Interruptions)*

SHRI DWARAKA NATH DAS (Karimganj): Mr. Speaker, Sir, there is a long-pending demand that railway line be extended from Dullabcherra to Ranpur in Karimganj-Dullabcherra branch section in Karimganj district, Assam. More than two and half lakh people of southern Karimganj remain stranded during monsoon without any means of communication. As a result, no small-scale industries could be developed there due to lack of infrastructure, giving alternative sources of earnings to them. Everytime it is learnt that because of resource constraints, the said project could not be taken up. But in a border district like Karimganj, this extension of railway is a must to make the railway network more and more rural-oriented.

So, I urge upon the Railway Ministry to take up the aforesaid project at a very early date so that lakhs of people of the most backward area could derive the benefit of having the best means of communication to link them with the rest of the country.

*[Translation]*

SHRI SHIVA SHARAN SINHA (Vaishali): Mr. Speaker, Sir, 40 lakhs people of 20 blocks of Vaishali, Muzaffarpur, East Champaran and West Champaran districts falling under North-Eastern Railway Zone have jointly urged the Government to lay a railway line between Hazipur junction to Motihari junction via Vaishali, Deoria, Sahebganj and Araria. Actually people have been making this demand even before Independence. All the previous Members of Parliament representing those areas have always made this demand, but this demand is not yet acceded to. Those areas are so backward that they are living in bullock cart age even today i.e. in the electronic age. The issue was raised strongly on several occasions,

but the Government did not pay any heed to that. The people of those areas have, therefore, decided to launch Rail-Roko Agitation (to stop the movement of trains) on Hazipur and Motihari junctions from 2nd October. I would like to submit to the Government that this demand is in favour of the backward areas and in favour of the people as well. Vaishali is the birth place of democracy and it is also the land where Buddha performed penance. Moreover, King Ashoka also got built the Ashok-Pillar there amidst reciting "Budham Sharanam Gacchami" That is a tourist-spot also. To neglect the development of aforesaid area means imbalanced development of the country. The Government should, therefore, pay immediate attention to it.

SHRI JANGBIR SINGH (Bhiwani): Through you I would like to draw the attention of the hon. Minister of Water Resources to the issue of unequal distribution of river water in Haryana. The people of the State are agitated over this issue. Farmers of the State get water for irrigation mainly from Yamuna Canal and from Bhakhara water distribution system. Sirsa, Hisar and Jind districts of Narwana Sub-division get water from Bhakhara canal. As against the provision of ensuring water facility to farmers for 15 days in a month, the farmers in some areas get water for 7 days and in other areas for 3 days from the Yamuna canal. According to the decision of different Tribunals and Commissions it was decided to provide 38 lakh acre feet water to Haryana, out of which only 18 lakh acre feet of water is being provided to the State since March 1978. Due to political considerations water is being provided to those areas where there is already abundance of Canal Water. Distribution of water is being done in a discriminatory manner.

Farmers of Bhakhara area are getting water supply for 23-24 days instead of 15 days. It is a clear case of discrimination which has resulted into shortage of irrigation-water in Yamuna region. Subsequently, ground water-level of this region is also constantly going down every year. A mass protest was made there against such discrimination on 10th August in Narnol where a youth was killed in police firing. The people of South Haryana are demanding a judicial inquiry into the incident of police firing.

I would like to request the hon. Minister to issue instructions to the Government of Haryana for the justified distribution of

water. Moreover, I would also like to submit that he should immediately ensure the construction of Satluj-Yamuna link canal so that adequate water may be made available to the State.

[English]

SHIRI A. INDRAKARAN REDDY (Adilabad): Mr. Speaker, Sir, road accidents in the country are on the rise over the years. Accidents are caused mostly due to rash and negligent driving. Unlike in other countries, the dependents of the victims in our country have to run around to get adequate compensation through legal procedure. Recently, in Andhra Pradesh, two major bus accidents occurred and, unfortunately, one of them involved passengers of my parliamentary constituency. The bus carrying about 35 passengers was plying between Hyderabad to Adilabad and plunged into Hussainsagar Lake killing almost all the passengers.

MR. SPEAKER: This is not a point to be raised. The Legislature is there; police machinery is there and the Government is there.

DR. KRUPASINDHU BHOI (Sambalpur): In 1970, under the Indo-Soviet Friendship Treaty, a protocol was signed for exploration of gas and hydrocarbon in our Indian sub-continent. Accordingly, Soviet Union experts delineated the zone of formation in our sub-continent both off-shore and on-shore.

According to that report, a zone was delineated comprising Bombay Basin, Godavari Basin, Kutch Basin, Mahanadi Basin, and Sundarbans Basin in West Bengal. India will be self sufficient in oil if seismic survey is done in detail in our country both through the National Remote Sensing Agency, Hyderabad and the Geological Survey of India. We already started detailed exploration, exploitation and production oriented drilling in Bombay Basin. Godavari Basin and Kutch Basin are still to be exploited fully. To carry out the work of exploitation in the Mahanadi Basin and Bay of Bengal Basin, two rigs were obtained by Cariburgs Company in 1974-75, during the time of the then Petroleum Minister Shri H. M. Trivedi. They have taken a contract in the Bay of Bengal, which is also a part of the zone delineated by the same group of Soviet

experts. This area comprises more than 5,000 sq. km. in the offshore region of Mahanadi Basin and Bay of Bengal Basin. They have found that if rigs which could sustain more than 300 lb pressure are used, exploitation work can be carried out very successfully in the sedimentary region. This consortium was with the Oil India Limited. May I urge upon the Government and the Department of Petroleum and Chemicals to take immediate action in this regard. Uptill now, detailed seismic survey has not taken place in our country. The Soviet experts have delineated the zone in Bay of Bengal and Mahanadi Basins. This sedimentary basin was drilled by the Cariburgs Limited and later in 1978 by Carnival Selver Limited.....

MR. SPEAKER: This is the hour which is used for bringing urgent matters to the notice of the Government and not pending matters. Please sit down.

DR. KRUPASINDHU BHOI: This is an urgent matter Sir. Kindly give me one minute. Let me at least conclude.

Now, we are importing oil to the tune of 15 million tonnes. I urge upon the Government that this particular area of Bay of Bengal and Mahanadi Basin should be entrusted to the consortium with ONGC because they have got the required technical expertise, whereas the Oil India and their consortium do not have the special expertise to drill sedimentary basin. I urge upon the Government to entrust the work to the ONGC and they may use the rigs available with M/s. Cariburgs Limited and M/s. Carnival Selver Limited. Those rigs were able to sustain more than 300 lb. pressure below 2,000 level.....(interruptions)

MR. SPEAKER: You please take your seat now.

[Translation]

SHIRI BHAGWAN SHANKAR RAWAT (Agra): Mr. Speaker, Sir, the Supreme Court has announced a verdict yesterday to close those 212 industrial units situated in the nearby areas of Taj. Consequently the life in the whole of Agra-region has been disrupted. All the factories have been closed. Lakhs of people has been rendered jobless due to the closure of small-scale factories. (Interruptions).....It is being said that the beauty of Taj Mahal is diminishing. Though big units have set pollution control devices, yet it is beyond the capacity

of the small scale units. The Government should help them by providing grants for that purpose. All those units are located beyond five kilometres of the Taj Mahal, whereas there are three national-highways within the three kilometre peripheral area of Taj Mahal at Agra. The Government have accepted in the House that 65 kilogram of Sulphur dioxide is produced everyday. If a ring road beyond 10 kilometres of the city is constructed, the pollution being caused by the traffic going through national high-ways and causing damage to the Taj Mahal may be checked. Foundry work is being done there ever since Mughal-Period. Historians say that when Shah Jehan got the Taj Mahal built, he got the hands of 30 lakh people cut....(Interruptions)

[English]

MR. SPEAKER: Those are all known historical facts. Please be brief.

[Translation]

SIIRI BILAGWAN SHANKAR RAWAT: Mr. Speaker, Sir, I will conclude within two minutes. Even now people are being rendered jobless. The Government should take positive steps. 103 Members have submitted to the Government in writing to provide Natural Gas Industry. Cooking gas connections. They have also submitted to implement Yamuna Action Plan, and construct a Taj National Park and moreover, they have also demanded.....to ensure the welfare of the people.

SIIRI ARVIND TRIVEDI (Sabarkantha): I extend my thanks to you for giving me an opportunity to speak on the last day of the session. I have been raising this issue for the last two years.

MR. SPEAKER: Were you never given an opportunity to express your views?

SIIRI ARVIND TRIVEDI: Mr. Speaker, Sir, the Railway project which was started in my district Sabarkantha, 16 years ago, is still lying incomplete. The conversion of line has only taken place from Nadiad to Kaparganj. There is a rumour that this project has been closed and the land already acquired is being returned to its owners. I have written to the Minister of Railways a number of times but so far no clarification has been made in this respect.

Secondly, out of the two railway lines from Ahmedabad to Kher Bramha movement of

train or one line 55 Up and 56 Down has been closed and the Government is even thinking to close down this metre gauge line. Through you, I want to submit to the Railway Minister that there is only one line in operation in SC, ST and tribal area and I demand that this should be converted into broad gauge line.

SIIRI MAHENDRA KUMAR SINGH THAKUR (Khandwa): Mr. Speaker, Sir, through you I want to draw the attention of the Government towards the fact that the Upper Tapti Project of Madhya Pradesh and Maharashtra, a phase of which has already been completed, has been abandoned after spending crores of rupees. It has disrupted the irrigation facility in both the States, provided by the Governments.

I request you that the Government should take initiative to start this project and set new standards in the field of irrigation in Madhya Pradesh and Maharashtra after completing second and third phase.

[English]

SIIRI RUPCHAND PAL (Hooghly): Sir, when Parliament is in Session, Government is taking vital irreversible decisions. Several times in the past the Chair has observed that when the Parliament is in Session, if the Government has to take vital decisions, it should come to the Parliament. We have been told that although the Air Corporation Act has not been repealed and it has been referred to a parliamentary panel, the Government has taken a decision to allow foreign equity in the Indian aviation companies. This is derogatory to this Government. This Parliament is being ignored. This Act of parliament is being violated by the Parliament itself.

[Translation]

SIIRI SATYA PAL SINGH YADAV (Shah-jahanpur): Mr. Speaker, Sir, through the House, I want to draw the attention of the Minister of Defence towards the serious problem of 50,000 labourers.

There are four clothing factories under the Ministry of Defence for making dresses for army personnels. There are 50,000 labourers employed in these factories. Now their work load has been reduced as the contract for making trousers and shirts and other clothings have been awarded to private contractors as a result of which the Labourers who used to get a salary



of Rs. 2,500 to Rs. 3,000 are getting a meagre amount of Rs. 1,000 to Rs. 1,200 as salary at present. The Government has taken this decision in a haste. The labourers are on fast and staging a Dharna, in order to protest this move of the Government, there is one clothing factory in our Shahjahanpur district, this is the only factory in this area which provides employment to the labourers but due to the faulty decision of the Government all these labourers are in distress. The number of labourers has been reduced from 13,000 to 6,500 at present. This is a serious problem. I have already drawn the attention of the Government towards this fact but this Government is not paying any heed to it. I, therefore, want to submit through this House that this problem should be resolved in the interest of the labourers who are staging dharna and are on fast lest their families do not starve to death.

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): Sir, I have given a notice on the same issue. It is a matter of rule of law; whether in this country the rule of law will continue. How does a Government, which violates the legislation of this House, continue to function? There is an act prohibiting certain action and the Government, despite the fact that that act has been passed by the Parliament, violates that law. The Air Corporation Act prohibits any private line being used for scheduled operations. Sir, I have received the whole schedule of the flights from the East-West Lines.

I have moved a Privilege Motion against the Minister which is still pending with the Speaker. To add to that, Sir, today's newspaper indicates that Government has gone beyond that, it is now offering its skies: it is opening its womb, so to say, to the foreign equity participation in the domestic airlines. Up to 40 per cent, they will permit direct foreign investments in these domestic air companies.....(interruptions). There is nothing wrong in that, excepting that this 40 per cent, if it is added to the NRI, it becomes a majority. This is number one.

Secondly, opening your own skies to domestic flights for foreigners, if that does not affect you, that does affect us. This does not exist anywhere else in the world. If you argue that it is only 40 per cent, then I will remind you that this story of MRTA Act began with raising of

ceilings from Rs. 100 crore to Rs. 500 crore and then the ceiling was altogether eliminated.

Regarding direct foreign investment, here also, you began with 20 per cent, 40 per cent, 49 per cent and today 100 per cent foreign equity participation is permitted. (interruptions)\*.

MR. SPEAKER: Mr Nirmal Kanti Chatterjee, you shall have to stop please. Whatever he is saying will not go on record.

(interruptions)

MR. SPEAKER: I have given you the time and you have to use it properly. You cannot take the time of the other hon. Members also.

(interruptions)

SHRI NIRMAL KANTI CHATTERJEE: It is a very serious matter.

MR. SPEAKER: If so what? You are raising it in Zero Hour. Don't you find any other provision to raise it?

SHRI NIRMAL KANTI CHATTERJEE: Please tell me. (interruptions)

MR. SPEAKER: I will tell you in my Chamber not here. I cannot go on telling the hon. Members that what matters can be raised on the floor of the House.

(interruptions)

MR. SPEAKER: I have given you time. You are taking the time of other hon. Members also.

SHRI NIRMAL KANTI CHATTERJEE: Please bear with me for a minute. Sir, if you insist that we should observe our rules, then, we submit to you that what will happen when the laws of the Parliament are violated by the Government? (interruptions).

MR. SPEAKER: You should know, as a senior Member, what to do about it. Do you want a lesson from the Speaker or what?

SHRI NIRMAL KANTI CHATTERJEE: It is because, under your leadership, the whole thing was got passed here.

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\*Not recorded.

MR. SPEAKER: I do not want leadership.

SIIRI NIRMAL KANTI CHATTERJEE: You should admonish them here. *(interruptions).*

MR. SPEAKER: You have made your point. Now don't prolong it.

*[Translation]*

SHRIMATI BHAVNA CHIKHLIA (Junagadh): Mr. Speaker, Sir, Narmada Project is the lifeline of Gujarat. The foundation stone of this scheme was laid by Late Pandit Jawahar Lal Nehru in 1960. In 1985, the World Bank promised to provide an assistance of 450 million U.S. dollar for this scheme which it promptly did. The Ayojan Manch gave its consent in 1988. This scheme will provide irrigation facility, potable water and electricity to not only Gujarat but also the Madhya Pradesh, Maharashtra and Rajasthan. Gujarat is the one of the drought hit states. The water is an essential element for the development of the State. This scheme is going to benefit 18 percent villages out of the 18375 villages in Gujarat and will provide potable water to 3 crore people. The hon. Minister for Water Resources issued a circular on 3rd August 1993 and the other one on 5th August in which he had made a mention about a review committee. I want to know whether he has asked for this review under any pressure? The Minister is not present but he has given an assurance to the ecologists who are just for nothing obstructing this scheme, by putting a world review. The award given by the Narmada Tribunal.....

MR. SPEAKER: Do not create any misunderstanding without any reason against the person who is not present. If you speak about a fact in your favour it may create a misunderstanding and will go against you.

SHRIMATI BHAVNA CHIKHLIA: He has asked for a review.

MR. SPEAKER: He has said that no review would be made.

SHRIMATI BHAVNA CHIKHLIA: There would be no review. The Narmada project should be considered a national project. The Central Government has assured to provide assistance to this project. Therefore, work should be started immediately on this pro-

ject. The Government should not succumb to the pressure of unnecessary agitation and should complete the project at the earliest.

MR. SPEAKER: It is a good demand. Your demand will be fulfilled.

SIIRI JAGMEET SINGH BRAR (Faridkot): Mr. Speaker, Sir, I would like to draw the attention of the Government towards the serious problem being faced by the farmers in three northern States viz. Punjab, Haryana and Rajasthan. We have been receiving a number of complaints from the farmers for the last 15 days that there is large scale adulteration in insecticides and pesticides which are sprayed on cotton crops. This practice has been going on there since last several years and bungling of crores of rupees is involved in it. The tale of woe of farmers is very long. As has been said generally that even poison is not pure in this country.

Besides, 30 percent of cotton crops has been destroyed by locust swarm. Faridkot, Bhatinda, Firozpur districts of Punjab and Mahendergarh and Hissar districts of Haryana have been badly affected by locust swarm. On the one hand adulterated pesticides are being sprayed and on the other the attack of locust swarm, is making farmers the worst sufferers. So the Government should protect the farmers from these things. The hon. Agriculture Minister is not present in the House. I would like to demand that immediate action should be taken by the Government and an inquiry should be conducted into the matter of adulteration and the persons found guilty should be punished.

SIIRI VIJOY KUMAR YADAV (Nalanda): Mr. Speaker, Sir, I would like to raise a very minor issue. It is the last day of this session and the next session would be held after three months. The hon. Prime Minister has said that some projects would be taken up on the recommendations of MPs, but no final decision has been taken in this regard. In Bihar, some funds were allocated by the State Government for carrying some development work on the recommendation of MPs. But when the Chief Minister came to know that some funds are being earmarked by the Centre also, he has discontinued that practice and the Centre has not yet taken any final decision on it. Therefore, I would like to request the Government to take an early decision on it so that new development works could be taken up after this rainy season.

**SHRI NITISH KUMAR (Barh):** Sir, he is right. We are incurring loss because the State Government has stopped it and the Centre has not yet started. In this case the maxim a rolling stone gathers no moss has become true.

**SHRI RAM NAIK (Bombay North):** You should not call any one as Dhobi. (*interruptions*).

[*English*]

**DR. VASANT NIWRUTTI PAWAR (Nasik):** Mr. Speaker Sir, my constituency Nasik is growing industrially as well as agriculturally. Nasik is the biggest pilgrimage centre of the South. It is a Kumbhmela place and what is called as the Kashi of the South. The railway commuters of that area are facing a lot of difficulties because of lack of a superfast train.

There are about 110 buses running between Nasik and Bombay; about 30 taxis and 13 ST buses running from Nasik to Kasara. People take these transports to catch a Kasara local. Nasik has become a suburb of Bombay. There are about 7,000 monthly pass holders, hence there is a need to start a new superfast train from Bombay to Nasik and back.

So I draw the attention of the hon. Railway Minister, through you, to start a new superfast train between Bombay and Nasik during the office hours.

**PROF. RITA VERMA (Dhanbad):** Sir, I thank you profusely for allowing me for once to speak in the House.

Sir, I want to draw the attention of the House to a very.....

**MR. SPEAKER:** Excuse me, all those things we take as if you do not have points to make!

**PROF. RITA VERMA:** Yesterday our Leader raised the matter of the conspiracy hatched by an ex-diplomat and a lawyer of Delhi to malign the leaders of the BJP. Sir, the plot is thickening day by day. It has acquired all the ingredients of a suspense thriller.

They are not stopping at maligning the Opposition Leader. Now, they are trying to malign their own colleagues. They have accused three Ministers and one ex-Minister to have received payment from Harshad Mehta and his associates.

We all concede that there is a competition in politics. But should one stoop so low as to accuse his own colleagues in this way. Also it is said that a sum of 12 million dollars is reportedly with that Swiss national, who is filling all these affidavits. And anyone who has some difference with the Government, we can accuse him of having received payment from that Swiss national and Harshad Mehta and his lawyer.

This is a very serious matter because a Damocles sword is hanging on the heads of all the Congress people. If they are there to oppose the Government, they will also be implicated in this conspiracy.

We demand a statement from the Government; and the Minister of Parliamentary Affairs should clear all doubts about the whole affair. This is a very serious matter because politics and politicians these days do not have any respect in the eyes of the common people; and the matter is getting worse day by day. Thank you.

**SHRI P. C. THOMAS (Muvattupuzha):** A very serious situation has arisen amongst the farmers who are planting coconut. The coconut is being planted in almost eight States now. In almost all the States I understand that the price has come down steeply.

Now, there are procurement rules with regard to many agriculture items. For example, for cotton in Maharashtra, there is a very good scheme. I would submit that unless some good scheme is formulated throughout India with regard to such a cultivation, which is earning so much for our labour force as well as for agriculturists and also for our economy, this cultivation will be doomed.

So, I urge upon the Government—the Minister of Parliamentary Affairs is here—to do something with regard to the steep fall in prices of coconut, because the farmers are really starving. So, this must be brought to the notice of the Agriculture Minister. I would pray that some action should be taken immediately.

This is also so with regard to coco plantation. The price of coco has come down from Rs. 24 per kg. to Rs. 10 per kg. The farmers are really in trouble. I would pray that some action should start from the side of the Government. Please react to it. This is a very important aspect.

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): The Minister of Agriculture will definitely look into it.

[Translation]

SHRI TARA CHAND KHANDELWAL (Chandni Chowk): Mr. Speaker, Sir, through you, I would like to draw the attention of the Government towards a very serious accident. On 29th July, a 12 year old girl, who was an 8th class student in Raisena Bengali School, was drowned in NSCI Swimming Pool due to the negligence of Swimming pool staff. Her brother was waiting outside the swimming pool and when all persons had left, he went inside to find out his sister. When her cap was found floating, then they come to know that the girl was drowned. She was a trainee and had come to learn swimming there. As per the rules one lady coach and one gent coach should be there. On that day only a lady coach was present there and gent coach was not there. (Interruptions)

MR. SPEAKER: If you are raising such matters in the House, how the dignity of Parliament could be maintained.

SHRI TARA CHAND KHANDELWAL: The incident that occurred due to the negligence of the staff of swimming pool, should be inquired into... (Interruptions)

12.00 hrs.

[English] —

SHRI SRIBALLAV PANIGRAHI (Deogarh): Mr. Speaker, Sir, as you know Puri-Konarak beach and the Marine Drive, is one of the finest in the world. It is also affected by tidal waves etc. when cyclonic situation prevails in that area. That is why afforestation is going on in that area.

Of late, it is a matter of concern, that there is a proposal to lease out vast areas along the Marine Drive to about 40 to 50 hoteliers, on an area of five acres or so. Beautiful five-star hotels are located in Delhi and the other metropolitan cities but here in Orissa a large area measuring more than hundred acres minimum being 25 acres is proposed to be leased to every applicant. Thus vast beautiful areas along the

sea beach will be spoilt just with the felling lakhs of trees. This being reserve forests also with a wildlife sanctuary. That plan is going on. There will be environmental pollution.

SHRI SOMNATH CHATTERJEE (Bolgpur): We fully support it.

SHRI SRIBALLAV PANIGRAHI: Agreed. I am not opposed to development. But let there be environment friendly development. There can be a few hotels on reasonable area of five to seven acres each but without affecting the reserve forest or the beauty.

I request the hon. Minister to take a serious note of this and to do the needful immediately in this regard.

SHRI SOMNATH CHATTERJEE: It is a very good proposal. We fully support it.

[Translation]

SHRI BHOGENDRA JHA (Madhubani): Mr. Speaker, Sir, we are demanding more facilities all over the country. In certain cases there has been an increase in the demand and in others there has been no increase. However, there is an area viz. Mithila region in North Bihar where railway facilities have declined. Earlier there used to be a railway line from Darbhanga to Forbiganj via Nirmali. People used to travel through this route but now it is damaged. People travelled upto Motihari from Darbhanga and Sitamarhi. The railway bridge between Bagaha and Chhitoni which was inaugurated in 1976 is still under construction. People of Darbhanga, Madhubani, Sitamarhi and Saharsa cannot travel up to Patna and Muzaffarpur by train because there is no rail link between these places. People travel by buses or by other means. The Samastipur—Darbhanga rail track was inaugurated three times and allocation was also made, but it is yet to be completed. I would like to urge the Government to fulfil the promise this time instead of deferring it again.

Barah region project will generate 7,000 MW of power and Bihar will get 3,300 MW out of it. Earlier the Government of Bihar submitted that the State does not need this much of power. When Kosi, Bagmati and Kamla rivers change their course hundreds of villages are adversely affected. It is a central subject and the issue is bilateral between India and

Nepal. The Government should take up with the Government of Nepal about the approved projects of Barah region on river Kosi, Sheshapani on river Kamla and the project on river Baghmati. Nepal is our neighbouring country.

MR. SPEAKER: We know all this. Please conclude.

SHRI BHOOGENDRA JHA: Relief has become a routine phenomenon in the event of drought and flood because the people have become habitual to all these things. Therefore, the Government should change all this.

MR. SPEAKER: Now, please sit down, and allow others also to speak.

[English]

SHRI PAWAN KUMAR BANSAL (Chandigarh): Quite sometime back the Government had taken a decision to convert the lease hold property rights in Delhi and Chandigarh into free-hold. This has been announced, and the scheme has been formulated for Delhi. But this has not been done for Chandigarh, causing great concern and dismay amongst the residents of Chandigarh.

I would urge the Government to take immediate steps in this direction so that a decision which was taken a long time back is implemented at the earliest.

[Translation]

SHRI BIRBAL (Ganganagar): Three important irrigation projects viz. Gang Canal, Bhakra and Indira Canal are being implemented in the Ganganagar district in Rajasthan. In the region crops have been sown in 26 lakh acres of land and the whole district is clamouring for water. The hon. Minister of Water Resources is not present in the House at the moment. Therefore, please take steps for providing irrigation to 26 lakh acres of land, otherwise the whole crop will be destroyed.

Mr. Speaker, Sir, recently the standing crops of cotton and rice in lakhs of acres of land were damaged by the river Ghaghar. Compensation for damage of crops has already been paid in Haryana. Therefore, I urge the Government to immediately take a decision in this regard.

[English]

SHRI G. M. C. BALAYOGI (Amalapuram): Mr. Speaker, Sir, I thank you very much for allowing me to raise an important matter.

Andhra Pradesh is the richest agriculture producing State in the country and it is facing a severe drought condition now. Almost three fourths of the Districts particularly in Rayalaseema and Telungana and some Districts in the coastal area are facing a severe drought condition... [Interruptions]

MR. SPEAKER: This matter was discussed for six hours in the House.

SHRI G. M. C. BALAYOGI: Kindly allow me to mention the latest position.

The farmers are not getting any water and the people are facing even drinking water problem. I am sorry to say that the State Government is not taking proper steps to solve this problem. In fact the State Government is doing *Poojas* in the Temple and conducting tests for getting artificial rains in the State.

Sir, there is a project called 'Palavaram project', which is pending for the last several years. There is a very good river, Godavari. Ten per cent of the river water is being utilised by the State and ninety per cent is going into the Bay of Bengal. If this Palavaram project, which is a multi-purpose project, is completed, it can be utilised for irrigation and production of electricity also.

I request the hon. Prime Minister to kindly send a Central team to Andhra Pradesh in order to assess the drought situation prevailing in the State.

[Translation]

SHRI LAKSHMI NARAIN MANI TRIPATHI (Kaiserganj): Mr. Speaker, Sir, I would like to draw your attention towards a Matter of Urgent Public Importance.

Irregularities on a large scale are being committed in the payment of pension to old persons and widows especially in Bahraich district in Uttar Pradesh. Although the money orders addressed to the beneficiaries have been swindled away by the Postal employees no action has been taken till date. Due to non delivery of

pension money orders by the Post Offices, old persons and widows are facing starvation.

I urge the Government to immediately enquire into all this and take strict action against the guilty employees. The Government should ensure payment of pension within 15 days to the old persons and widows and should also make available funds to the State Government on the basis of approved applications of thousands of old persons and widows.

**SHRI RAJVEER SINGH (Aonla):**

Mr. Speaker, Sir, I would like to draw your attention towards irregularities being committed in Delhi Wakf Board and the controversy that has cropped up due to negligence on the part of the administration. Last week I raised the issue of selling of property worth Rs. 12 crore for Rs. one crore by the Chairman of Haj Committee and resignation tendered by him when objections were raised. This issue was brought to my notice by some Muslims brethren of Delhi, who also asked me to raise it in Parliament since there is no elected Government in Delhi. This is a burning issue because land for cremation grounds and cemeteries are being sold. There was a proposal to construct houses for poor Muslims on this land but ultimately the land was sold to a capitalist. This has shattered the hopes of Muslims to own houses.

Sir, through you, I urge the Government to enquire into all this and ensure that the property of Wakf Board is not misused as it is a public institution. The Government is requested to take proper action in this regard.

**SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga):** Mr. Speaker, Sir, as per the Government records at least 550 Mosques and Mausoleums are in the possession of individuals and about 150 Mosques are in Government possession. All these belonged to Delhi Wakf Board. I would like to submit to the Government that Wakf Board land has been illegally acquired by the individuals and houses constructed on it. People are keeping domestic animals in some houses. Mr. Speaker, Sir, in many Mosques pet animals are being kept and shops have also been opened. I would like to urge the Government to get these 550 Mosques

and Mausoleums vacated which are in the possession of private individuals.

**SHRI CHINMAYANAND SWAMI**

(Badaun): Mr. Speaker, Sir, through you, I would like to draw the attention of the House towards an important issue. Two days ago I visited Mewat alongwith an hon. Member of Rajya Sabha. Mewat region in Haryana consists of the districts of Gurgaon and Faridabad. There a problem has surfaced since 1st February. In December and January clashes took place between two communities and some religious places were damaged. The backlash of it is very dangerous. Since 1st February one community is boycotting the other community socially, economically and in trade. The ratio of population of two communities is 70:30. The latter are being denied milk and vegetables and their business has come to a standstill. All this has been going on since 1st February and many hon. Ministers and the Chief Minister of the State are aware of it but despite all out efforts boycott is continuing and no decision has been arrived at till date.

I visited the towns like Nuh, Nagina, Punhaza etc. I also talked to the people of both the communities and they all have said that there was no tension between them. I would not like to mention the names of two political leaders, but they did impose restrictions and forced the people of their respective communities to pay a fine of rupees 500/- if they tried to sell the milk and Rs. 1100/- if they tried to sell the foodgrains. In this way they have been terrorising the people and creating a rift between the two communities. Mr. Speaker, Sir, the problem has taken such a serious turn that people of one community do not allow water to flow to the fields of people belonging to the other community. Thus a feeling of insecurity has arisen. Through you, I would like to draw the attention of the Government that if communal tension is allowed to take a shape of social boycott, the situation would become very serious in the country. Therefore, I would like all the political leaders to appeal the people not to indulge in such activities, immediate efforts should be made to overcome this problem. The Government should deploy paramilitary forces to restore self-confidence in the people and to make available water to the fields of deprived ones. In the end I would like to submit that the

innocent persons are being harassed by filing false cases against them whereas the culprits roam about freely, this should not happen. The innocent persons should be let off and the culprits be punished so as to establish a cordial atmosphere there.

[English]

SHRI OSCAR FERNANDES (Udupi) : Mr. Speaker, Sir, recently a large number of fishermen in Dakshina Kannada District in my constituency organised a massive protest march. Their demand is shifting of the Ship Breaking Yard at Thannirubhavi in Mangalore for causing sea water pollution which is preventing fish from entering the coast. They have also demanded construction of fish landing facility at New Mangalore for the displaced fishermen of New Mangalore Port. Therefore, I urge upon the Minister for Environment to take note of the sea water pollution and order for the shifting of the Ship Breaking industry to some other location outside the district.

And I request the Minister of Surface Transport and Fisheries also for setting up of a fish landing centre at Panambur at NMPT in Dakshina Kannada District.

[Translation]

SHRI RAMDEV RAM (Palamau) : Mr. Speaker, Sir, Chhota Nagpur area of Bihar has again come under the grip of drought.

MR. SPEAKER : Look, six hour's discussion has already taken place on drought. Please do not raise this matter again and again.

[English]

SHRI PRITHVIRAJ D. CHAVAN (Karad) : Mr. Speaker, Sir, very briefly I will raise the matter of the Monopoly Cotton Purchase Scheme in Maharashtra which has been a revolutionary scheme guaranteeing remunerative prices to the farmers. This scheme has not been continued. The Reserve Bank of India has not given the clearance to continue this scheme. So, I urge upon the Finance Ministry to immediately give clearance to this scheme for the next 10 years.

SHRI PURNA CHANDRA MALIK (Durgapur) : Mr. Speaker, Sir, I would like to draw your attention towards the Self Help Cooperative Labour Contract and Construction Society Limited in Durgapur Steel Plant. In the year 1987 after the closure of M/s Thomas Mouget and Company Limited, a contractor of Durgapur Steel Plant was engaged with the jobs of unloading, loading, breaking and sizing of Scrap Iron. The regular workers of M/s Thomas Mouget and Company (India) Limited, were provided with employment by Hindustan Steel Works Construction Limited through agreement. But, the workers engaged by the contractors of M/s Thomas Mouget Company (India) Limited were suggested by the then DGM (P & A) and GM (Works) of Durgapur Steel Plant to form a Labour Cooperative Society instead of bringing them under the fold of M/s Hindustan Steel Works Construction Limited. It was committed and assured by the Durgapur Steel Plant management that the Society so formed would be awarded the job of Blast Furnace Runners Scrap directly so that the members of the Society, that is, contract workers of M/s Thomas Mouget and Company (India) Limited, would be provided with gainful and remunerative employment.

In another commitment Durgapur Steel Plant management assured to grant concession in connection with the purchase of Blast Furnace Runners Scrap by the Cooperative Society, vide their letter No. DCPM (IR)/02.02/250 dated 01-07-1987 addressed to the President, United Contract Workers' Union, but afterwards the management has done nothing on the subject. There were series of correspondences, discussions and meetings between the aforesaid Cooperative Society, Union and Durgapur Steel Plant management for years together, but the stalemate on the subject is still there. As a result, the fate of 116 workmen is still hanging on the balance resulting in serious problems on industrial relations in Durgapur Steel Plant, where the sale of Blast Furnace Runners Scraps come to a halt since last one year resulting in a loss of revenue of more than Rs. One crore in a year.

Therefore, through you, I request the Government to intervene in the matter so that either the processing contract of Blast Furnace Runners Scrap would be awarded directly to the Self Help Cooperative Labour Contract and Construction Society Limited or the concessions of purchase of Blast Furnace Runners Scrap on "as is where is basis" as per the

Durgapur Steel Plant Management's proposal are given to the Self Help Cooperative Labour Contract and Construction Society Limited. (Interruptions)

[Translation]

MR. SPEAKER: Not you, but Shri Patil. You always utter the same thing, whereas we follow a socialist pattern under which all the hon. Members should get opportunity.

SIIRI RAM PUJAN PATEL (Phulpur): Mr. Speaker, Sir, the decision to enhance the marks of the General Knowledge paper in Civil Services examination conducted by the Union Public Service Commission from 250 to 300 and those of interview from 250 to 300 is a matter of great concern. Because it is nothing but a conspiracy of such elements who have their vested interests and who do not want that the brilliant students of poor families in rural areas may occupy the higher posts.

The hon. Minister of Parliamentary Affairs has assured the Members in this House to consider the issue so that English may not remain as a compulsory subject, but it is a matter of regret that no decision has been taken in this regard so far. Then, why did the Government decide to enhance the marks of General Knowledge Paper.

My demand is to remove the condition of keeping English as the medium of General Knowledge Paper and that the marks of interview should not exceed more than 5 per cent of the total marks in the written papers so that brilliant students belonging to average families may also get opportunity to reach the dignified posts.

I am confident that the Government would remove with immediate effect the condition of keeping English as the medium in the examinations conducted by Union Public Service Commission and bring honour to the country. The hon. Minister of Parliamentary Affairs is present here. Through you, I would urge him to fulfil the assurance he gave last time.

[English]

SHRI M.G. REDDY (Chittoor): The eye specialists from Russia are serving the needy patients through micro-ocular surgery to cure some rare and incurable diseases through

Appolo Hospital, Hyderabad. The results are good and encouraging. They are also training our experts in India.

Their extension of stay in India is very much essential both for the public and the doctors.

It appears that their visas are not considered for extension.

I urge upon the Government to see that their visas are extended immediately.

SIIRIMATI MALINI BHATTACHARYA (Jadavpur): Yesterday through the medium of Doordarshan, we were told that the Government is sending troops to Somalia which have been requisitioned for the UN Peace-keeping Mission there. Now as it had been a genuinely Peace-keeping Mission intended to bring food and succour to the starving people of Somalia, we had all supported this. However, in view of the fact that recently the Peace-keeping Mission has turned into something else and civilian people, including women and children are being attacked and they are being killed by the UN troops in the name of peace keeping, this has become a highly debatable issue. This matter has been raised on the floor of this House more than once. I remember Shri Jaswant Singh raised this and also many others, and a letter was also written to the Government by Members cutting across party lines. In spite of that, the Government had neglected to take into consideration the opinions of a large number of Members.

I want to express my strong protest against the way in which this decision has been taken by the Government.

SIIRI RAJARAM SILANKARRAO MANE (Ichalkaranji): I have to make two points. One is about the subsidy schemes. The small and marginal farmers as well as the Scheduled Castes and Scheduled Tribes farmers who are members of the cooperative lift irrigation schemes were getting subsidies from the Government of India through the Ministry of Agriculture at the rate of 33 per cent and 50 per cent. That scheme has been withdrawn by the Government of India and, therefore, the schemes are sick and the farmers are at an irreparable loss.



I have, therefore, to request the Minister of Agriculture through you that those schemes should be started to give relief to these farmers.

The second point is KG Commission has allotted irrigation projects to the Government of Maharashtra and they are to be completed by the year 2000. But the Government of Maharashtra is short of funds.

I request the Government of India through you that the Government shall make arrangements to give sufficient funds to the Government of Maharashtra to complete the project.

[Translation]

PROF. PREM DHUMAL (Hamirpur) : Mr. Speaker, Sir, through you, I would like to draw the attention of the Government towards an important issue. In Himachal Pradesh, the wheat distributed to workers under the 'Kaam Ke badle anaa' scheme is of very bad quality and its rate has been fixed at 3 rupees and 58 paise. When I went there, they showed me the sample of the wheat provided under this scheme. I have brought the sample here also, but as the rules do not permit, I cannot show it here. The quality of the wheat is so bad that it is not at all consumable by the humans.

Sir, as the Jawahar Rozgar Yojna is being run by the Central Government, it should instruct the State Government not to provide such low quality of wheat to the workers under the said scheme. (Interruptions)

SIIRI RAM KIRPAL YADAV (Patna) : Mr. Speaker, Sir, I would like to draw the attention of the Government towards my Constituency Patna, which is the capital of Bihar. You are also aware of the importance of doordarshan in today's world. But it is ironical that the programmes relayed by Patna Doordarshan Kendra can be viewed only within a diameter of 80 to 100 kilometres and the rest of Bihar is deprived of it.

Sir, the Patna Doordarshan Kendra has not yet been linked with micro-wave system, due to which the programmes relayed from there can be viewed in a very few places. So, I would like to request the Minister of Information and Broadcasting that the Patna Doordarshan Kendra should be immediately linked with micro-

wave system, so that the programmes relayed from there can be viewed by the people of entire Bihar.

[English]

SIIRI LAETA UMBREY (Arunachal East) : Sir, my constituency is one of the largest constituencies in the country. It covers more than 40,000 sq. km. Most of the parts of my constituency or most of the districts of my constituency are not linked with the Indian mainline till now. So, there was a proposal to link this constituency under the National Highway No. 52. But the progress of this National Highway No. 52 is very slow. In reply to a matter which I raised in the Parliament under Rule 377, the hon. Minister has indicated that in this century I am not going to get the two districts of my constituency linked with the Indian mainline. This is very unfortunate. I, therefore, urge upon the Central Government to expedite the construction of this National Highway No. 52 immediately. (Interruptions)

MR. SPEAKER : I know who has been speaking and who has not been speaking. You have always been speaking.

[Translation]

SIIRI PANKAJ CHOWDHARY (Maharajan) : Mr. Speaker, Sir, our newly created district of Maharajanj is very backward, percentage of literacy is very low and there is also no industry. I am demanding from the Government since 1991 to declare it a backward and no industry district. But I came to know from the Central Government that the recommendation of the State Government is needed in it. The State Government has already given its recommendation in 1991. But no action has yet been taken on it.

I would like to demand from the Government that it should be declared a backward and no-industry district.

SIIRI SHYAM BIHARI MISRA : Mr. Speaker, Sir, Uttar Pradesh is facing drought and there has been no rain after the first rain in the entire State. Kanpur Dehat is totally in the grip of drought. We have raised the issue several times, but no action has yet been taken. Power supply has stopped and there is no water in the canals.

I would request the Government to arrange power and water for the State...[Interruptions]\*

[English]

MR. SPEAKER: It is not going on record.

[Translation]

SHRI SYED MASUDAL HOSSAIN (Murshidabad): Mr. Speaker, Sir, the river which flows between two countries is an international river and is a central subject. Bangladesh lies on the other side of my constituency and the River Ganges flows in between. There is a very heavy soil erosion on the western bank of the river, which is going on for nearabout 12 years. Large tracts of land had gone on the other side of River Ganges and got attached with Bangladesh. The crops produced by our farmers in that land are taken away to other side by the B.D.R. and B.S.F. personnel and by the Citizens of Bangladesh.

The Minister of Water Resources is probably sleeping and not listening to me. I am in this House for the last 14 years and raising this issue since then. Our State Ministers have also met the Union Government several times in this regard, but not a single penny was given. My entire Constituency will get attached with Bangladesh.

The hon. Minister should tell us about the action to be taken in this regard.

[English]

MR. SPEAKER: Well, I thank you for cooperating with me. Let us go to the next item.

\*Not recorded.

12.27 hrs.

# PAPERS LAID ON THE TABLE

Notification under International Airports Authority Act, 1971 etc.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): On behalf of my senior colleague, Shri Ghulam Nabi Azad, I beg to lay on the Table—

- (1) A copy of the International Airports Authority (Storage and Processing of Goods) Regulations, 1993 (Hindi and English versions) published in Notification No. Cargo/1351/9/Pt. I in Gazette of India dated the 26th June, 1993 under sub-section (4) of section 37 of the International Airports Authority Act, 1971 together with an explanatory Note.

[Placed in Library. See No. LT 4527/93]

- (2) A copy of the National Airports Authority (Employees Conduct, Discipline and Appeal) Amendment Regulations, 1993 (Hindi and English versions) published in Notification No. SEC. 9.2.7. in Gazette of India dated the 22nd March, 1993 under section 40 of the National Airports Authority Act, 1985.

[Placed in Library. See No. LT 4528/93]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Indira Gandhi Rashtriya Uran Akademi for the year 1990-91, alongwith Audited Accounts.
- (ii) Statement (Hindi and English versions) regarding Review by the Government on the working of the Indira Gandhi Rashtriya Uran Akademi for the year 1990-91.

- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

[Placed in Library. See No. LT 4529/93]

Uttar Pradesh Industrial Employment Model Standing Orders, 1992 and a statement showing reasons for delay in laying these papers.

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): On behalf of Shri P. A. Sangma, I beg to lay on the Table—

- (1) A copy of the Uttar Pradesh Industrial Employment Model Standing Orders, 1992 (Hindi and English versions) published in Notification No. 2651/XXXVI-3-5(S.O.)-85 in Uttar Pradesh Gazette dated the 24th July, 1992 issued under sub-section (2) of section 15 of the Industrial Employment (Standing Orders) Act, 1946 read with clause (c) (iv) of the Proclamation dated the 6th December, 1992 issued by the President in relation to the State of Uttar Pradesh.

- (2) Statement (Hindi and English versions) showing reasons for delay in laying the paper mentioned at (1) above.

[Placed in Library. See No. LT 4530/93]

Notifications under Customs Act, 1962 etc.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M. V. CHANDRASHEKHARA MURTHY): I beg to lay on the Table a copy of the following Notifications (Hindi and English versions) under Section 159 of the Customs Act 1962 :—

- (i) G.S.R.553(E) published in Gazette of India dated the 13th August, 1993 together with an explanatory memorandum making certain amendments to certain notifications mentioned in the table annexed thereto.
- (ii) G.S.R.554(E) published in Gazette of India dated the 13th August, 1993 together with an explanatory memorandum regarding exemption to the specified telematic infrastructural equipments when imported into India for being used for the export of software out of India from the whole of the basic and additional duties of customs leviable thereon.

- (iii) G.S.R.556(E) published in Gazette of India dated the 16th August, 1993 together with an explanatory memorandum making certain amendments to certain notifications mentioned therein.

[Placed in Library. See No. LT 4531/93]

- (2) A copy of the Income-tax (Twelfth Amendment) Rules, 1993 (Hindi and English versions) published in Notification No. S.O. 608(E) in Gazette of India dated the 13th August, 1993 under section 296 of the Income-tax Act, 1961.

[Placed in Library. See No. LT 4532/93]

12.28 hrs.

#### MESSAGES FROM RAJYA SABHA

[English]

SECRETARY-GENERAL: Sir, I have to report that Rajya Sabha has agreed without any amendment to the Oil and Natural Gas Commission (Transfer of Undertaking and Repeal) Bill, 1993, as passed by Lok Sabha.

2. Sir, I have also to report that Rajya Sabha has no recommendations to make to Lok Sabha in regard to the Appropriation (Railways) No. 3 Bill, 1993, the Appropriation (Railways) No. 4 Bill, 1993, the Appropriation (No. 3) Bill, 1993 and the Appropriation (No. 4) Bill, 1993.

12.30 hrs.

[SHRI MATISH KUMAR in the Chair]

STATEMENT CORRECTING REPLY TO STARRED QUESTION NO. 807 DATED 29.4.1993 RE: ANTI-T.B. MEDICINES

[English]

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI PABAN SINGH GHATOWAR): I invite attention to the reply to the Lok Sabha Starred Question No. 807 on 29th April, 1993 regarding anti-TB medicines. In reply to Part (b), in addition to the anti-TB medicines mentioned therein, 1783 kilograms of Rifampicin was also imported during 1991-92.

The error came to the notice towards the close of last session of Parliament. Hence the correction is being made now. Inconvenience caused is regretted.

[Placed in Library. See No. LT 4533/93]

12.32 hrs.

### MATTERS UNDER RULE 377

- (i) **Need to take steps to tackle drought situation in Anantpur District, Andhra Pradesh.**

[English]

SIIRI GANGADHARA SANIPALLI (Hindupur): Anantapur district is a drought prone area. This year in Anantapur district, particularly in Hindupur parliamentary constituency, rainfall has been very less. In many places, farmers have not sown the seed. Of the sown seed, 50 per cent has not germinated due to lack of moisture. Drinking water, employment generation and fodder to the animals have become scarce. Massive migration of the labour is taking place. Hence I request the Central Government to take up immediate measures in this regard.

- (ii) **Need to set up colleges in Ponta Sahab and Arki and other districts of Himachal Pradesh.**

[Translation]

SIIRI KRISHAN DUTT SULTANPURI (Shimla): Mr. Chairman, Sir, there has been a considerable expansion of educational facility in Himachal Pradesh. Primary, Secondary and Senior Secondary Schools have been opened at different places and moreover, Engineering and Medical Colleges have also been opened besides setting up three universities. There was an announcement to open four colleges and several Senior Secondary Schools for the girl students who were earlier not able to travel distant places in order to receive higher education. Notification in the gazettee for this purpose was also made. Later on, notification in regard to those colleges and Senior Secondary Schools was withdrawn. The State Government had issued a notification to open a college in Ponta Sahib in my constituency, but this has not been done so far. Moreover, a notification was also issued to open a college in Arki in Solan district. There is no college in that Tahsil. Two more colleges were to be opened in two other districts. There was also a notification in that regard; but there also it was not done.

I would, therefore, like to submit to the union Government that in pursuance of the earlier notifications colleges should be opened in Ponta Sahib and Arki and the two more colleges, as notified earlier, should also be opened in different districts.

- (iii) **Need to set up a Cancer Institute at Rourkela, Orissa.**

[English]

KUMARI FRIDA TOPNO (Sundargarh): I wish to draw the attention of the Government on the alarming rate of increase of cancer patients in Orissa. Sir, according to the survey report of Orissa branch of the Indian Cancer Society, there are over 45,000 cancer patients in Orissa. Out of this, 20,000 of them suffer from mouth cancer with the afflicted lower jaw. They are mostly seen in the districts of Ganjam, Puri, Cuttack and Balasore. This is due to prolonged habit of chewing pan. Similarly, about 25,000 people are suffering from cervix cancer which is most common among the tribals in the districts of Sundargarh, Bolangir, Kalahandi and Koraput. This is because of early coitus, poor post-natal care and multiple deliveries. This requires an awareness among the tribals to change their traditional social customs detrimental to their health.

I, therefore, appeal to the Central Government to set up a Cancer Institute at Rourkela in the district of Sundargarh in Orissa. This will save the lives of thousands of people dying of cancer.

- (iv) **Need to set up J.K. Petro-Chemical Plant at Hathras, U.P.**

[Translation]

DR. LAL BAHADUR RAWAL (Hathras): Mr. Chairman, Sir, 4-5 years ago an announcement was made to set up one J.K. Petro-Chemicals Project in Salempur that falls under Aligarh region of my Hathras Parliamentary Constituency. Necessary Survey for starting work was also done. The outcome of the survey has been found positive. Approval to this project was given with the provision that the Government of Uttar Pradesh and the Union Government would work together on the project so that the project might be ready

soon. The work on the project, however, remained confined to papers alone. The people of the locality have been forcefully demanding since long to immediately start work on that project. I have also drawn the attention of the Union Government and the State Government to this project several times. Starting work on this project will ensure development of the area and it will also provide job opportunities to unemployed persons. I would, therefore, like to submit to the Central Government that the work on the project should be started at the earliest.

(v) **Need to re-start Bhusawal-Bombay train.**

**DR. GUNWANT RAMBHAU SARODE** (Jalgaon): The railway budget for 1993-94 has caused great disappointment for North Maharashtra. No announcement to re-start the Bhusawal-Bombay passenger train in Maharashtra which was cancelled on 3rd February, 1992 has been made by the Minister of Railways. The Railway administration had assured me that this passenger train would be re-started after the Kurla Terminal is opened, but that assurance has not been fulfilled even after the Kurla Terminal was opened. Lakhs of the poor people of Maharashtra like to travel by the Bhusawal-Bombay passenger train, but that train is not running.

My constituency Jalgaon is an important industrial area of Maharashtra. The Ajanta and Allora caves are very close to Jalgaon. The visitors have first to reach Jalgaon in order to visit the caves. Accommodation facility and transport facility for the travellers is adequately available at Jalgaon.

I would, therefore, like to request the Central Government to immediately re-start the Bhusawal-Bombay passenger train in Maharashtra and make arrangements to stop all Mail, passenger and Superfast trains at Jalgaon Junction.

(vi) **Need to take steps to solve the financial crisis faced by Cochin Shipyard Ltd.**

[English]

**SIIRI M. RAMANNA RAI** (Kasargod): The Cochin Shipyard, the premier shipbuilding yard in the public sector is threatened with

closure. With heavy accumulated losses and a depleted order, the Cochin Shipyard limited, the most important of central sector units in Kerala, is facing its most severe crisis since its inception in the late sixties.

Cochin Shipyard has so far supplied seven ships, five bulk carriers of 75000 DWT and two crude oil tankers of 86000 DWT each to international standards and has repaired hundreds of vessels. Due to the existing pricing formula the Shipyard is incurring heavy losses. In the absence of revision of prices the Shipyard is not in a position to undertake any fresh job.

Recently the Shipping Corporation has placed orders for ships and tankers from South Korea which could have been built at Cochin Shipyard. Firm reservation of a certain percentage of the tonnage requirements of the Indian shipping industry for construction in Indian shipyards and ensuring full usage of the country's ship repair capacity before permitting repairs abroad are both vital demands in this context. Apart from capital restructuring and revision of the pricing formula for ships built at the CSL, two other immediate steps suggested to save the Shipyard from its present crisis are placement of an order for construction of a passenger vessel for the Shipping Corporation of India for which CSL has already submitted a quotation. A provision of an adequate number of vessels for repairs through Government intervention could go a long way towards improving the situation.

I, therefore, urge upon the Government to look into the matter.

(vii) **Need to review the decision for closure of Loco and Carriage Workshops at Ajmer, Rajasthan.**

[Translation]

**PROF. RASA SINGH RAWAT** (Ajmer): Mr. Chairman, Sir, Ajmer has not been declared as an industrially backward district just because there are two large State Railway Factories—Loco and Carriage factory, which provide employment to thousands of labourers. The trade and economy of Ajmer depend on these factories. These factories are the soul of the economic body of Ajmer. These factories in Western Railway have been very important

since their establishment during British period. The Railways in the name of modernization have installed many new machines in these factories about two years ago by spending crores of rupees. These factories cater a lot of needs of metre gauge Railway but after the decision of conversion of the Delhi-Ahmedabad Rail line into broad gauge and in the name of new Industrial and economic policy the work load in these factories has gradually been reducing. A ban has been put on fresh recruitments and employees are being retired voluntarily. There is news to this effect that even machineries of these factories are being transferred to some other place. As a result thereof, thousands of labourers and lakhs of citizens of Ajmer who depend on them are worried and agitated. The Governments' decision to close these factories will have a damaging effect on the people of Ajmer.

I. therefore strongly urge the Government of India that it should not close these Loco and Carriage factories, which are the backbone of the Economy of Ajmer. The capacity of these factories should be fully utilized. The labourers should not be retrenched, the ban on the fresh recruitment should be lifted. The vacant posts should be filled immediately and these factories should be modified as per the requirements of broad gauge lines.

(viii) **Need to consider proposals for carrying water from Godavari to Krishna and linking Mahanadi and Godavari.**

[English]

SHRI SANAT KUMAR MANDAL (Joynagar): Sir, it is heartening to learn that the Union Government is considering proposals that form part of the national perspective for water development formulated by it envisaging carrying of surplus water from Brahmaputra to Farakka and further down to Mahanadi through a series of link canals which *inter alia* cover the entire network for linking peninsular rivers starting with the transferring of Brahmaputra waters from the Himalayas to Ganga and further down to Southern river systems, augmenting on the way, the flow of Hoogly for the maintenance of the Calcutta port. The proposed multipurpose projects would also help generate substantial amount of power and provide navigation facilities across

the country. The Brahmaputra-Ganga link would make available about 14 million hectare of additional water for irrigating about 22 million hectares in the basins of the two rivers. Besides, it would provide about 40,000 cusecs of water to the Calcutta port which it very badly needs.

The entire network for linking peninsular rivers under the national perspective would enable additional use of about 8.4 million hectare of water and benefit the States of Orissa, Andhra Pradesh, Maharashtra, Karnataka, Tamilnadu and Madhya Pradesh.

Sir, I would humbly submit that Government should get a blueprint of the Plan early and consider some viable proposals for carrying water from Godavari to Krishna and linking of Mahanadi and Godavari, which have already been studied by the National Water Development Agency.

(ix) **Need to set up cooking gas outlets in tehsil headquarters Junagarh Parliamentary Constituency, Gujarat.**

[Translation]

SHRIMATI BHAVNA CHIKHLIA (Junagarh): Mr. Chairman, Sir, Mendarada, Malia, Bhetan, Visavdar, Talal and Vanthali tehsils fall in my Parliamentary Constituency. The population of these areas are 13142, 11042, 9081, 16884, 14376, 16339 respectively. But the locals have to suffer a lot due to lack of any gas agency there. They even do not get Kerosene oil in sufficient quantity for which the women have to stand in the queues for hours together but even then they do not get it in sufficient quantity.

I. therefore request the Central Government that the supply of Kerosene oil should be increased in the aforesaid tehsils falling in my Parliamentary Constituency Junagarh and at least 4 new gas agencies should be allotted in my area.

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12.45 hrs.

STATUTORY RESOLUTION RE: APPROVAL OF CONTINUANCE OF PROCLAMATION BY THE PRESIDENT IN RELATION TO THE STATE OF JAMMU AND KASHMIR—Contd.

[English]

MR. CHAIRMAN: The House shall now take up further discussion on Statutory Resolution regarding Jammu and Kashmir. Shri Madan Lal Khurana to continue.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Chairman, Sir, I was discussing about extending the period of President's rule in Jammu and Kashmir by 6 months. I do not have any other option but to support it. I said that we should have an introspection of ourselves and analyse our policies in respect of Jammu and Kashmir. In view of these policies which we are following, would it help in holding the elections in the State?

Pilot ji is an old friend of mine, but from the time he has taken the charge of Jammu and Kashmir, I have heard about a number of incidents taking place there. I will be glad if he makes an explanation in this respect.

While taking up the charge Shri Pilot had declared that a Kashmiri cell would be formed and accordingly a cell was formed which comprised 5 persons—V. K. Jain, Madhukar Gupta, Jai Ram Ramesh, Shri Habibullah, who was later on appointed as Commissioner of Kashmir and Ashok Patel, who is going to retire on 31st of this month. I want to know whether any official meeting was organised, I am least concerned about unofficial ones but whether any meeting was held about policy matters with a proper agenda. If there was any then I want to know about its proceedings and minutes.

Secondly, a point which was raised by an hon. Member last time also that a meeting on the issue of Kashmir was organised by the Cabinet Committee on Kashmir Affairs but not by the Cabinet. This Government has completed two and half years' period, during which two cabinet meetings have been organised. First time, when Dr. Murali Manohar Joshi set

out on his Rashtriya Ekta Yatra to unfurl the national flag and second one was held when Ammanullah Khan had declared a long march in P.O.K. and since then no meeting has been organised in which all the members of the cabinet are present.

I want that the information given by me on Kashmir cell should be verified by the Minister. A function was organised on the 3rd of August to release a book on Kashmir written by Shri D. K. Kumar. Two Ex-Governors of Kashmir Shri Jagmohan and Shri Girish Saxena were present in this function. A member of Kashmir cell Shri Jai Ram Ramesh said that it was incorrect that Pakistan is involved in proxy war in Kashmir, we can discuss this matter while sitting on a table. Secondly, he said that we should not trust the reports given by our Intelligence Bureau on Kashmir, these are often exaggerated. Thirdly he asked as to why the terrorist leaders like Satbir Shah and Yasin Malik cannot be released. These three points have been openly raised by a member of Kashmir Cell. I have myself watched its video tape and Pak Radio and T.V. have made propaganda about it.

I want to know as to what impression do you want to give to the world. Is it the policy of the Government to work in this manner. A retired I.A.S. Officer of Kashmir Cadre Shri Hamidulla Khan was doing his best as Advisor but you have hurt the feeling of Kashmir people by replacing him with Shri Syed of Karnataka Cadre. (Interruptions)

MR. CHAIRMAN: Time is limited for this issue and there is a lot of business to be taken up today. Khurana ji, you have spoken some days ago and the time allotted to your party is only 19 minutes that is why I have rung the bell as we have to discuss Dunkel proposal and other subjects also.

SHRI MADAN LAL KHURANA: You have sent a person from Karnataka who even does not know the basic things about Kashmir. You have appointed as an advisor to such a person who had presented a memorandum against the Indian Security Forces in Human Rights Commission, you sent him to U.N.O. and now you are appointing him as Advisor and are giving him the rank of a minister. On 24th when there was an incident in

[Sh. Madan Lal Khurana]

Sopore then the Commissioner of Kashmir, D. C. of Baramulla and S. P. Shri S. M. Sahay went there, who were gheraoed by thousands of terrorists. A B.S.F. post was located at the distance merely hundred yards away from there but the personnel refused to come to their rescue. This news was published in Hindustan Times and Times of India that military did not come at that time.

[English]

"Reacting to the report that Army had refused him, the Deputy Commissioner told this correspondent on telephone that Army did not come at all and the BSF also refused."

[Translation]

The BSF refused to come to their rescue, this is the State of affairs there and you claim that the situation is under control and Election will be held in near future. If you go through the report given by the team of the reporters, which recently visited the valley then you will come to know about the real situation prevailing there. In this interview given by the Additional D.G.P. to Times of India and Hindustan Times, has said—

[English]

"The instructions from New Delhi also interfered with the *modus operandi* of the BSF to raid a suspected terrorist hide-out."

[Translation]

The Centre makes interference like this I, therefore, submit that the Government must give it a serious thought. I have already said that Pakistani Flags were hoisted there. The reporters who had been there three days ago have reported in Hindustan Times that they are conspiring to promote Islamic fundamentalism there and are opening schools for this purpose so that they can spread terrorism to other parts of the country. You should take action to counter such activities.

The Government do not have any policy on Kashmir as such, you should go for a policy. Neither any cabinet meeting was conducted nor opposition parties were consulted in

this regard. No consensus was made. The President of Jammu and Kashmir State Congress Committee Shri Kar has said that he is displeased with the Centre's policy on Kashmir. The Prime Minister has not visited Kashmir so far, although he keeps visiting other States, he should pay a visit there too. Recently a group of Members of Parliament had visited Kashmir and then Ladakh. One of your colleague in the Cabinet had promised to tell about the arrangements being made about the future of the Kashmiri refugees during the session, as we do not know anything in this regard. You, therefore, tell us what are your plans for their future. The result of the examination held three years ago, has been declared now, kindly tell us as to why the examinations are not being held at present. This is spoiling the future of the students. It is good that you are making a number of schemes to provide employment to the youth of the valley but kindly tell what are you going to do about the future of the displaced girls? The policy of the Government regarding providing jobs to the Shikara owners or Tonga drivers, who are jobless due to the terrorism in the valley. A number of displaced Kashmiri Government servants were retired during the last three years, how you are going to fill these vacant posts. Why do not you appoint displaced Kashmiris on these posts.

12.57 hrs.

[MR. DEPUTY SPEAKER in the Chair]

Some days back there was a circular in the newspapers that you are conducting a survey. This is a circular of Office of the Relief Commissioner, Jammu. It says that the people who have left their movable immovable properties are being asked to fill up the similar forms that were filled by the refugees from West Pakistan declaring that they do not want to go back. This is creating a lot of suspicion in the minds of the Kashmir refugees. You should come out with a clarification in this regard and remove their suspicion.

A conference of Human Rights Commission was held recently in Vienna. As per my information Pakistan made propaganda against India with all its might, India might have protested it but it did not plead her case in an effective manner.



13.00 hrs.

It seems that we were not able to present documents in a proper manner. The persons who are very much concerned about Kashmir say that this issue was not given wide publicity on T.V. and Radio on the contrary the publicity made by the Pakistan T.V. and Radio was very systemic and offensive, You should also take necessary steps in this regard.

My second suggestion is that a clear National policy should be framed on Kashmir. You may call a high level meeting of all parties and after deep consultation a consensus should be arrived at and then it should be decided as to what way we have to adopt in this regard. Actually the problem is that the Government resort to double talk tactics, the version of Home Minister is different from the one given by the Prime Minister. It should not be like this. I want to submit that the Prime Minister should himself visit Jammu and Kashmir and make a survey of the situation prevailing there.

Thirdly, before conducting a meeting of the opposition parties on Kashmir, the Government should issue a white paper as to how the situation worsened there and what action the Government want to take in this regard? First the Government should make its views clear than only we may hope for good results. My party thinks that the situation there cannot improve unless the Kashmiri refugees go back. It simply means that when peace returns there the situation will itself become normal and then we may declare elections there.

Mr. Deputy Speaker, Sir, my next submission is that Pakistan should be warned of dire consequences if it does not stop intervening in Jammu and Kashmir. An action plan should be initiated in this respect. A committee, which was constituted to look into the problems of the refugees, should urgently pay a visit there and make announcement about the formation of a council for Ladakh for which you had made a promise because the locals complain that the Government do make announcement but do not implement them. I, therefore request the Government to do needful in respect of Leh as the people are agitated there.

I thank you for giving me time to speak.

[English]

MR. DEPUTY SPEAKER: Now, the Congress Party Member should get the chance to speak but since Shri Hannan Mollah has very very urgent work to attend, I will call Shri Umbrey later on. I hope he has no objection in this.

SHRI HANNAN MOLLAH (Uluberia): Thank you, Mr. Deputy Speaker, Sir. I also thank my colleague for allowing me to speak before him.

Sir, we are again forced to pass this resolution. We have to accept that this is a *fait accompli*. We have to pay for others' sins. It is not in the spirit of democracy that we deprive people from being represented in the Parliament. It is against the spirit of democracy that a State is not being ruled by its own Government but is ruled by the Government from Centre. This situation has been created by the decades long insincerity and by the wrong policies being followed by the Government. As a result of this we are forced to withdraw the democratic process from that particular part of our country.

Sir, now, we have no other way but to extend the President's Rule for another six months. There is no doubt that we have to hold elections there but talking of elections at the present juncture will send a wrong signal. We have to create a proper atmosphere for holding elections.

A few days back, one extremist leader said that Kashmiri people are not averse to elections. For that, we will have to have a proper atmosphere. I am sure that this will be the last time that the Government will extend President's Rule in Kashmir. I am sure this Government will be sincere in holding elections. I hope the hon. Minister is taking a lot of interest and is working sincerely to see that this will be the last time that the President's Rule is extended and after that democracy, greater autonomy and Kashmiri people's participation in all other activities will be established.

I would like to mention here that because of wrong policy, insincerity, discrimination and also because of wrong method of administration, we are going to create the types of pro-

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blems in other parts of Kashmir. That is a new challenge which I gathered after my visits to Kargil and Jammu. There, the people are having a feeling of discrimination for long. Because of that, we must take immediate steps to ensure the people of other regions that their sentiments will be honoured; they will be able to participate in the process of administration; and they will be able to get their autonomy viz. self-governance. Otherwise a situation may develop like the one where a Buddhists Association, some time back, were forced to raise a separatist slogan but ultimately, good sense prevailed and they came to the negotiating table. Then, they agreed to accept certain conditions viz. if the Government gives them some regional autonomy. So, we should not waste any time. Otherwise, it will take a different course which the Valley had already taken.

The people of Kargil also say that they are the most sincere people and they are fighting for India. Whenever there is an attack from Pakistan or others, they had to face it. In spite of that, those people think that they are deprived; they are not taken into confidence; they are not even taken in the Army and other forces; and they are not even trusted by the Government. The feeling is also there. If we have to ensure that the feelings of the people of Kargil, Leh and Jammu are not hurt, then we will have to give them adequate chance to participate in the governance. This demand is hanging for quite a long time. An immediate decision should be taken on that and that too within the framework of the Jammu and Kashmir Constitution. The Government is also aware of their feelings.

Secondly, there is a question of autonomy. That should also be taken up. We have to start a discussion without any precondition. We should try to see that we reach a consensus as to how we can give maximum autonomy within the framework of the Indian Constitution and within the framework of the Jammu and Kashmir Constitution. This is very much necessary.

So, both these demands viz. greater autonomy for Kashmir and within the framework of the Constitution, autonomy to the regions of Leh, Kargil and Jammu should be given, so that they can also get the benefit of the Hill Council-type of governance.

So, these two demands should be considered properly and with adequate emphasis. I am sure that the Government is working in that direction. But for doing that, the political process, as you are insisting, should be started and the people in the Valley should not think that most of the political leaders have left the Valley and they are living in Jammu or in Delhi. This is the situation. Therefore, we have to establish political leadership in the Valley.

Those political leaders should be involved in certain political activities. We are advising them that there should be an Advisory Committee with adequate powers. If that is constituted, if they are able to suggest to the Governor and their suggestions are accepted, then the people will feel that their words matter; and through them, we can solve certain problems.

People will come to them and gradually they will be able to interact with the people. In this way, if more and more people come to them, all the political parties, then the political process will be strengthened; and in the long run, we can go on talking to them. This is a suggestion which, I think, has been, hanging on for long; and that should be given adequate importance.

Now, as there is no Assembly, lot of problems are there. I would request the hon. Minister to take note of them. We had visited certain places over there. There they said that Jammu Udhampur railway line was their long, standing demand. Nobody is there to listen to them with regard to this railway line.

In Kashmir, 1400 young boys are recruited in 1400 panchayats. They are working in those panchayats. They are getting Rs. 500 as their pay and they are working there for a long time; but they are not regularised. Now, they are on a hunger strike and *dharma*. But nobody is there to listen to them.

There is a panel of teachers. We had visited most of schools over there. But there is no teacher. Thirty to forty per cent of the posts are vacant in schools and colleges in various parts of Kashmir. In spite of the panel of teachers, they are not recruited. That also should be taken care of.

In hospitals and medical centres, there are no doctors. That is another problem espe-

cially in Leh and Kargil and other parts of Kashmir. But the people are complaining. We have to see how we can appoint doctors so that the people who come from distant places get the benefit of the advance treatment; at least a minimum number of doctors should be there in those hospitals. A large number of posts are vacant. But the doctors are not joining; they are going abroad after getting appointment letters. This type of complaint is there.

There is no airport at Kargil. They are demanding it for a long time. It is not a very big amount to spend; and the number of flights in Leh is very small.

In Jammu also. Akhnoor bridge has been broken for a long time. There the Government is sitting tight. No action has yet been taken.

Regarding the problem of refugees, during the last session, we said Comrade Indrajit Gupta also said—that 1947 refugee problems were not solved. Now, we have created another problem. Now, the refugees have come from the Valley; they are now staying in Kashmir. They are also in a very bad situation. When we went there, they were very much agitated. We could not visit their camps. But we came to know that they were living like animals in many of the camps, especially during rainy season. Their problems should be attended to. Otherwise, some other type of extremism may develop in their minds.

There is no power. In Kargil and Leh, they get power for 3-4 hours. But the power project is not completed. For 20 years, certain projects are not completed. I do not know why. We are sanctioning funds, but those funds are not properly utilised. More than 400 schemes are on-going schemes and going on for 20—30 years. If those projects are not completed, then the benefits would not reach these people.

First, we should complete those projects. More than 400 projects are hanging and are not completed. Those should be immediately completed so that people feel that whatever benefits we are giving them those benefits are reaching to them.

Corruption is also creating a lot of dissension in the minds of the people. Massive cor-

ruption is there, that also should get the immediate attention of the Government. In this situation, I will request the hon. Minister that all these burning problems of the valley and other regions of Kashmir should be taken care of, so that people feel that in spite of sitting at such a distance, we have not forgotten them. We are looking at their problems and we will do our best to give our help to them as much as possible. So a political solution should be sought through negotiations, through dialogue. We should give them greater autonomy and within that greater autonomy how can we establish the Hill Council for other regions, that is one political part for which the Government should take immediate steps.

Secondly, the meetings of all political parties at the national and Kashmir level should be immediately called. We should try to reach a consensus because from here some signals would go that we are united to solve their problems. to give adequate attention to their problems as much as possible. That also should be taken care of.

The third suggestions that we insist on is the question of political advisor with adequate power in Jammu & Kashmir. That should also be immediately constituted and they should be given help so that they are established from among the people of Kashmir. This way, in the long run we can go for a political process.

The other suggestion, as I said, is that Cabinet should also discuss it properly. The Cabinet in its full strength should meet once and should apply its mind so that Kashmir gets priority.

We talk about our enemy, Pakistan. Pakistan gives first priority to Kashmir. But India has not given first priority to Kashmir. It is such an old problem, so we should give our first priority to Kashmir with utmost attention. This way we can try to solve the problem as soon as possible.

I hope this will be the last six months of President's Rule in Kashmir. But we still do not know because this Government cannot be believed. This Government announced from the ramparts of Red Fort that on 6th December the Mosque would not be demolished, but it was demolished. When you give assurance here,

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we cannot believe that it will be kept. Still we hope that this Government will take care of all the suggestions that have been made and the feeling of the House and send a message to the people of Kashmir, Jammu, Ladaakh and Kargil that we are trying to solve their problems. At the same time their economic problems and other hardships are also taken care of. With these words, I thank you for giving me time.

**MR. DEPUTY SPEAKER:** The time allotted to this subject is two hours. We have already consumed one hour and seven minutes. The remaining time is at our disposal and every political party knows its timing. Therefore, it is better to confine within the limitation. Sitting late, etc. does not amount to anything.

**PRO. PREM DHUMAL (Hamirpur):** It is a very important issue.

**MR. DEPUTY SPEAKER:** The issues are really good. But in the Business Advisory Committee, the time allotted to this subject is two hours and each party is allotted time according to its strength.

**SHRI MADAN LAL KHURANA (South Delhi):** Sir, yesterday the Zero Hour went for three hours.

**MR. DEPUTY SPEAKER:** Is it the fancy of the Chair that it wants to have Zero Hour for such a long time?

**PROF. PREM DHUMAL:** We have foregone Lunch Hour so that more members can participate. That is all.

**MR. DEPUTY SPEAKER:** Is it not open to the Chair to tell the Members as to what is the time allotted for the subject and what is the time allotted to each political party?

[Translation]

**SHRI NITISH KUMAR (Barh):** Sir, last week we had a detailed discussion on Kashmir. I have no objection if further discussion is held on it but that should be held within a time limit. Today there is discussion on Dunkel Proposals also which is a very sensitive issue. Such an important issue is being taken for discussion as a last item. I have said yester-

day also that the Government is not serious on this issue. Therefore, keeping this thing in view it would be better if brief discussion is held on other issues.

**MAJ. GENL. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal):** We had to discuss it yesterday but two hours time was spent on an unlisted business. Was that item more important than this item. That item was also discussed earlier. Now it is not good to say that the discussion on Jammu and Kashmir was held earlier. So it should not be discussed again. I think full time should be given to this item.

[Interruptions]

[English]

**MR. DEPUTY SPEAKER:** Maj. Gen. (Retd.) Bhuvan Chandra Khanduri, the whole thing was decided in the Business Advisory Committee consisting of the representatives of all the parties.

**PROF. PREM DHUMAL:** In the meantime, one speaker could have spoken.

**MR. DEPUTY SPEAKER:** My dear Sir, it is true that one Member could have spoken. Supposing if we do not bring it to the notice of the House, probably the hon. Members may be under the impression that three or four hours are allowed. In the end if I were to say that only two or three minutes were there—my experience is many times if he is not properly informed—the Member is bound to lose his patience. Shri Laeta Umbrey.

**SHRI LAETA UMBREY (Arunachal East):** Sir, the problem of Jammu and Kashmir as it stands today is the greatest challenge ever met, to our national unity, integrity and secularism. It poses a challenge for the very existence of our great nation. The situation in the Valley is deteriorating in every passing day. So, the problem is becoming extremely complex and sensitive. Therefore, I feel that it is required to be on the top of the national agenda today.

The responsibility for the deteriorating situation in the Valley today has to be shared by all the political parties, particularly the BJP and the Janata Dal, not the Congress alone. I am

very happy that even Dr. Farooq Abdullah has accepted in public that he is also responsible for it. We must admit the fact and we must analyse where we have gone wrong. If it poses a challenge for the very existence of our country, if Kashmir is not there today, you never know anything can happen in other parts of the country. So, I feel that it must be given the topmost priority on the national agenda.

Recently it appeared from the reports in the media newspapers that the situation in the Valley was improving and we must congratulate Shri Rajesh Pilot, the hon. Minister for Internal Security for this. But, unfortunately, the incident of indiscriminate firing on the innocent bus passengers on the 14th of last month, has shown that the situation has deteriorated. It was a deliberate attempt of the militants to create panic among the people who were gradually realising that whatever may be the reason, supporting the militants and the underground secessionist forces was never going to help.

Anyway, I really admire our dynamic Minister, Shri Rajesh Pilot. I would like to inform the Minister that we are all behind him and I request the Minister to go ahead. The Minister, Shri Rajesh Pilot, has more than once sought the support of all political Parties. I hope that all the political Parties will extend their support to the Minister. Some of the Members have said that they are willing to give their opinions or suggestions. I think, the Government should immediately call a meeting of the leaders of all the political Parties. But, here I will oppose the parliamentary delegation visiting the Valley because the moment they come to know that the parliamentary delegation is visiting the Valley, they might try to create panic again among the people.

Sir, we have seen many dynamic and young leaders coming from the Valley. Many of them are now in active politics and some of them are dormant. They can be revived. They will have to contribute. Shri Rajesh Pilot or whoever may be the Home Minister, they cannot pick and choose to mobilise the people. So, those leaders of the Valley will have to shoulder this responsibility. They will have to face the challenges and they will have to face the problems. If needed, they will have to shed the blood for the unity and integrity of the country. I feel that all other political Parties in the Valley will have to be reactivated.

Sir, I would like to mention one thing that I come from a State, which, when compared to Jammu and Kashmir, is most unpopular and it is one of the backward States. I belong to an ethnically minority community too. So, I know a little bit about the problems of Kashmir today. Why I am saying this is because the root cause of the problem is not merely the negligence of the Central Government but it is the continuous harassment and mental torture inflicted on the people of the Valley over the years. It is the result of total distrust shown to the people of the Valley. From the media, We had come to know that some of the students who were pursuing technical education in various parts of the country were tortured and were suspected. They had to leave their education and went back to the Valley. Can you imagine, what will they do there when they were suspected and tortured in the College hostels and in the Universities? Obviously, they will take arms. So, we cannot blame the enemies. The enemies are ready to take them. That is how all the drop outs, all the youth, who have nothing to do, have been recruited by our enemies and have been supplied with arms and ammunitions.

I would like to tell one more thing that even the people coming from the other smaller ethnically religious minority communities, like people coming from the North Eastern Region, are all suspected. Even the laws passed in the Parliament and in this House have no relevance with the situation in the North Eastern States. That is, the laws are being passed on suspicion. You cannot, by suspicion, rule the country.

Sir, the need of the hour today is how to win back the confidence of the people and how to restore the trust. That is the main thing. Sir, I have another reservation to make.

I have got the highest respect for all the Governors—the present Governor as well as the earlier Governors of Jammu and Kashmir—but I have noticed that whichever may be in the Government here in Delhi, they appoint some eminent people of certain fields. One may win the highest gallantry award, one may be conferred with Padma Bhushan or whatever is the highest award of the soil, but that does not necessarily mean that they will be good administrators also. The most important thing today is that we will have to act on war-

[*Sh. Lacta Umbray*]

*footing and we will have to look for a Governor who has got a good political background, good track record as an administrator and is associated with the problems of Jammu and Kashmir.*

We will have to restart the political activities, the political process to hold the elections. Unless we adopt this, as other Members also have said, it is not possible to bring back peace in the Valley.

MR. DEPUTY SPEAKER: Now please conclude.

SHRI LAETA UMBRAY: Sir, I am speaking for the first time on Jammu and Kashmir, so, I shall like to take another one or two minutes.

As our hon. Minister has already said, we will have to win the hearts of the youth, the misled people, in order to bring back normalcy in the Valley. Generally, when good people are angry, it is difficult to console them also. The people of Kashmir were known for their hospitality. They were good and peace-loving people. But they had to face so much mental torture and distrust that they have become outburst. That is why, I think, it is taking time to heal their wounds. However, with the concerted efforts of all the political parties, I am sure, normalcy coming back to the Valley is not far off.

Another thing I would like to mention is that whatever BJP is doing, is not helping—whether it is in the case of North-East or Jammu and Kashmir or the minorities. I know there are very ambitious people in the BJP who are desperately trying to bring up the issues to come to power. But, I am sure, for those ambitious people I think the present Indian territory is also small for them. So if they continue to use the religious cards ultimately they may come to power but they will have a smaller territory to rule over. So, I think they will have to retrieve a little bit because in order to keep the unity and integrity of the country, the majority will have to make a little more sacrifice. If they are not ready to make sacrifice, I am sorry to say that we may not be able to keep the country together. Of course, I have found the BJP people being highly qualified, equally nationalist, but I do not know how they have failed to understand this aspect of the problem.

*Sir, my last point is that for the lasting solution of all the problems of this magnitude, I think we will have to give more emphasis on education. I am very sorry to say here in this august House that even some of the hon. Members do not know the names of all the states and U/Ts. They may not know the names of all the constituencies but at least they should know the names of the capitals of the States. If this is the state of affairs of hon. Members, how can we expect the people of Kashmir knowing the people of Kerala and the people of Gujarat knowing the people of Arunachal Pradesh?*

Until and unless we know each other, understand the problems of each other and try to sort out the problems with understanding, I think, we may not be able to solve the Kashmir problem. These are the other things which are complicating the issue.

Sir, besides the electronic media, we will have to give emphasis on education also.

Sir, I once again oppose the demand of Mr. Madan Lal Khurana for asking the Govt. to place a White Paper on Kashmir. I am opposed to placing a White Paper on Kashmir, because we have to keep secret whatever we have so far achieved in Kashmir. Otherwise, if we say that we have been to do this and that and if we start announcing, then I am sure, the militants who are having a better intelligent network will again try to create panic among the people of Kashmir. So, I think, it is not going to help in our attempt towards a solution. With these words, I support the Resolution for extension of the President's Rule for another six months in Jammu and Kashmir.

MR. DEPUTY SPEAKER: Now, I call Shri Fatmi of Janata Dal. The time allotted for Janata Dal is eight minutes. You should confine within the time allotted to your party. I am saying this, because it is always better for the Chair to bring to the notice of the hon. Members who want to speak, the total time allotted to each political party and the number of names certified and sent to the Chair by the Whip of each political party. These two are very important aspects.

[*Translation*]

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga): Mr. Deputy Speaker,

Sir, the Government has moved a Resolution for extending President's Rule in Jammu and Kashmir for another six months. I think generally the Government allows a discussion on Jammu and Kashmir twice in a year. Firstly, when it has to get the budget passed for Jammu and Kashmir and secondly when it has to extend President's Rule for another six months. The third occasion comes only when any tragic incident occurs there. Minor incidents are taking place there everyday.

The situation in Kashmir has deteriorated a lot and a number of innocent people have lost their lives. Recently a school boy named Hilal Ahmad was killed in cross firing. His parents went to lodge their protest but you will be sorry to know that the security forces killed them also. On that issue the people in Kashmir came out on the roads. You might be remembering incidents that occurred at Sopore and Lalchowk. It was an inhuman act. If you go through the figures you will find that about 6500 people have so far been killed in Kashmir. One of the BJP members was saying that Islamisation is taking place there, I do not say what actually is going on there, but the people who have been killed there are mostly Kashmiri Muslim youth. There is no dearth of patriots in Kashmir but I think the Government has not started any process to bring normalcy there and the Congress party is still following those wrong policies which are responsible for the deteriorating situation in the valley. You can see the cases of custodial deaths. Youth are arrested and sent to jail without any trial and they are being killed in jails.

Mr. Deputy Speaker, Sir, Human Rights Commission and other International bodies have raised these matters. Last time when I went to Budapest as a delegate, Pakistan and other countries raised the matter of human rights violation. They are of the view that atrocities are being committed on the people in Kashmir and Punjab. We do not have any campaign to tell the truth to the world that it is not we but the militants, who are committing atrocities there. We are taking action against the persons who are taking law in their hands. But on the Kashmir issue we have been isolated at the International forum. Therefore, I would like to submit that the Government should pay attention towards it and submit the factual position before the World community. The Government should

present it from human rights angle that we are protecting the innocent people and taking action against the militants only.

Mr. Deputy Speaker, Sir, secondly I would like to ask as to where the funds allocated for education, industrial development etc. are being spent under the President's Rule. Because people are not studying there and they are studying in other cities of the country. A number of Kashmiri students are receiving education in my city. Industrial development has come to a standstill and industries are being destroyed there. Land cultivation and fruit production have also adversely affected. The decreased production of carpet industries has also affected export. Under such circumstances, we would like to know as to where the funds allocated for industrial development and education are being spent.

Just now one of our colleagues was saying that Pakistan is interfering openly in Kashmir but today the people are not prepared to accept it and they are of the opinion that there must be other forces which are supporting Pakistan from behind the scene. The hon. External Affairs Minister is not present in the House. I would like to request the Government to look into this problem from this angle and find out the forces which are abating terrorism in the valley.

Some days back the Foreign Minister of Israel had come here. During the meeting of our colleagues, specially of BJP with the Foreign Minister of Israel who had been on a visit to India recently it was suggested that we should go in for large scale settlements in Kashmir. Mr. Deputy Speaker, Sir, this is no solution of the problem but instead it will further complicate the issue.

Sir, in a recent book on Kashmir entitled "Crisis in Kashmir" and a few intellectuals of India having full knowledge of Kashmir like Dr. Karan Singh, Sayeed Mir Kasim, Saifuddin Soz, Tarkunde, P. N. Haksar and T. N. Kaul have suggested that the Government should hold meeting with the Kashmir militants to solve the Kashmir issue, because whenever the question of restoring political process is raised, militants in Kashmir try to vitiate the environment. I urge the Government to ponder over the suggestion of holding meetings with the Kashmir militants to solve the problem.

[Sh. Mohd. Ali Ashraf Fatmi]

A little while ago Shri Khurana stated that Kashmir is being driven towards Islamic Fundamentalism.

**SHRI MADAN LAL KHURANA:** All this has been reported by the newspapers.

**SHRI MOHAMMAD ALI ASHRAF FATMI:** Religion is not a strong tool available with the Government. Had it been so then neither Bangladesh would have been created nor Iran-Iraq war would have taken place. Religion is not a strong force at all otherwise there would not have been countries with a population of 5-10 lakhs nor East Germany and West Germany which have similar racial background and nor North Korea and South Korea would have existed. So religion is never a force. Had it been so, how could there be unity despite religious and linguistic differences. If the Government is sincere about solving Kashmir issue then in addition to making efforts to restore political process and holding parleys with the militants, better educational facilities should be provided to the youth and a development package programme be started.

[English]

**MR. DEPUTY-SPEAKER:** The time allotted to you is eight minutes. Already you have spoken for ten minutes. Therefore, you can speak for two more minutes only.

[Interruptions]

**MR. DEPUTY SPEAKER:** He is the single speaker. That is why the Chair has allotted eight minutes' time.

[Translation]

**SHRI MOHAMMAD ALI ASHRAF FATMI:** In the recent past a Parliamentary Committee was constituted and I requested for convening of a meeting of the Committee before the presentation of the Budget which was not done. If not then atleast before the extension is sought after a period of six months the meeting should be convened. A little while ago a Congress Member urged that a delegation of MPs should not be sent there but I hold different opinion. Delegation consisting of intellectuals and Journalists must visit every 2-3 months and talk to the local people to have first hand information of the situation prevailing

there. As long as the hearts of the masses are not won over nothing could be achieved at gun point. I am a Member of the Committee on External Affairs and I submitted there that all over the world be it Islamic or Non-Islamic countries the image of India on the issue of Kashmir is quite bad. I submitted that the delegation of MPs and intellectuals should visit various countries and present the situation prevailing in Kashmir at every forum. I urged the Hon. Prime Minister in the Consultative Committee meeting to send delegations as no delegations have been sent yet. At Budapest we tried our best but could only talk to Cuba and North Korea. I submit that delegations of MPs should visit various countries to make the position of India clear as this is of utmost importance. Kashmir issue, our internal problem, is gradually taking international dimensions. If this happens then India will be in for difficult times. Last time also I submitted that the people in Kashmir hold two viewpoints. One section wants to go with Pakistan while the other wants to remain with India. Lately a new thinking has emerged in Kashmir that people holding any of the above mentioned viewpoints favour creation of an independent country by merging both the parts of Kashmir. Therefore, it is necessary that group's consisting of MPs, intellectuals and journalists should visit various countries to make India's position clear. This is to be done to prevent Kashmir issue from taking global dimensions. By holding parleys with militants democratic process should be started. The Government should implement the package programme for providing employment and educating the youth.

Delegation of MPs should visit Kashmir as well as foreign countries. During the extension of six months' period all efforts should be made to normalise situation in the State so that the need for further extending the President's rule after six months does not arise.

**SHRI SATYA PAL SINGH YADAV (Shah-jahanpur):** Mr. Deputy Speaker, Sir, on the motion moved by the hon. Minister I would like to submit that at present the main problem confronting India is Kashmir issue. Every citizen of the country is in favour of solution of the Kashmir issue. Kashmir was not merged into India on the basis of population but on the basis of historical, geographical and political conditions. It is very unfortunate that ever since the integration of Kashmir into India this



issue has not been solved. I agree with the view point of Shri Khurana that Kashmir migrants living in Delhi or Jammu or any other place cannot go back as the conditions have not normalised in the valley. Nobody wants to leave his home or job. Therefore, it is quite clear that under duress they must have left because of the abnormal conditions in the State. The Government was never serious about Kashmir issue and did not take it up on priority basis. The Janata Dal Government headed by Shri V. P. Singh set up an independent Ministry to deal with Kashmir affairs. However, it would be quite wrong on our part to expect a solution of the Kashmir issue from the hon. Prime Minister. Shri Rajesh Pilot has to some extent understood the gravity of the Kashmir issue. We hope that he would find out some solution of the issue by accepting it as a challenge.

Though it is a fact that the Police has revolted in Kashmir but on the other hand rockets were also fired on the Police Headquarters. Killing of bus passengers on the eve of Independence Day i.e. 15th August, hoisting of Pakistani flags and Pakistan propaganda through microphones installed in Mosques in Kashmir, all point towards the fact that the situation in the valley is not normal. Situation has deteriorated to such an extent that last month 103 persons were killed in the valley and even 26 security personnel also lost their lives. I support the motion moved by the hon. Minister because in the present conditions it is not possible to conduct elections in the State. Shri Vajpayee referred to three lines of thinking. Muslim population holds in the State but I have heard of only two. About the third line of thinking only the leaders are aware. One section instigated by the militants is in favour of joining Pakistan while the other section wants to live in India. I urge the Government to warn the section in favour of Pakistan to migrate there and those in favour of India need only live in the State. I hold the view that this sort of warning will send proper signals to the anti-India elements. Nobody living in India should nurse anti-India sentiments or associate oneself with any foreign country. All this I am submitting as a citizen of India rising above party politics.

Mr. Deputy Speaker, Sir, regarding atrocities by security forces especially BSF and para-military forces I would like to submit that

while confronting militants often errors are also committed by the security forces. Newspapers reported about killing of 3 members of a family including head of the family, his wife and son, while having their food on 4th August. Militants writ is so effective in the valley that in the bylanes of Srinagar everywhere anti-India slogans could be heard. I would like to urge the hon. Minister that our security forces should be utmost vigilant because killing of one innocent initiates environment in the entire Kashmir.

Development funds in Kashmir are being swindled away by the politicians. These politicians have built houses not only in Kashmir but all over the country. It is correct that Kashmiris are very honest and good at heart but even they are disturbed by these things. They have lost faith on the Government. The Government should instil confidence among Kashmiris and it is possible only when Kashmiris are given their rights. The Panchayati Raj Minister in the popular Government headed by Dr. Farooq Abdullah prepared and moved a draft Bill on Panchati Raj on the pattern of Panchayati Raj System in vogue in Karnataka. Had it been implemented in the State its result would have been quite fruitful and also mistrust against bureaucracy and politicians in the State would not have been created. I think implementation of that Panchayati Raj Bill would have conferred upon the people of the State many rights. These rights would instil confidence among people and also brotherhood feeling would be established and mistrust would be eliminated.

14.00 hrs.

Sir, I think it is wrong on the part of the ruling party to bank upon USA for the Kashmir issue because since the disintegration of USSR America has changed its stance on Kashmir issue. USA was about to declare Pakistan a terrorist state but the move fizzled out and no attention is being paid now towards Kashmir issue. Therefore, on this occasion I would like to submit that not only the problem of Kashmir migrants need be solved but also there is the need to set up big industries, build roads and small bridges in the State. In addition the living standard of the poor is to be improved while taking reformatory measures, stringent measures should also be taken. A country of

[Sh. Satya Pal Singh Yadav]

the size of India should strictly warn small country like Pakistan that any attempt on its part to disturb peace will not be tolerated at any cost.

Sir, entire country is worried about the conditions prevailing in Kashmir. I would like to submit that the Janata Dal Government constituted a separate Ministry to deal with Kashmir affairs but I think the present Hon. Prime Minister will not be able to do anything. While supporting the motion to extend the President's rule I would like to submit that in the prevailing circumstances when militants are quite active elections could not be held in the State. Pakistan must be warned that any interference and efforts to create disturbances in Kashmir would not be tolerated and Kashmir is an integral part of India. With these words I conclude.

SHRI S.M. LALJAN BASHA (Guntur) : Mr. Deputy Speaker, Sir, I welcome the Bill that has been introduced for the extension of President's Rule in Kashmir. The Government extends President's Rule in Kashmir time and again. An All Party Parliamentary delegation had gone to Kashmir recently, and after assessing the situation there they came to know that people do not get even the essential commodities like rice, gas, sugar, salt etc. and the quantity of these commodities supplied by the Government is quite inadequate. People in the valley are in great hardship. We met the Governor of the State and discussed the problems of people with him. The Governor clarified that the Government was helpless due to finance constraints. Though we did believe on what the Governor said, but the people of the valley felt that they were being given step motherly treatment and that this should not be done. It was due to the excesses committed by our army that some of them turned into terrorists. Since some of the innocent persons were killed, the family members of such victims did not find any other alternative than to take to terrorism. I found that due to this reason, militancy in the valley has increased to a great extent these days. The press has also reported these things. When the soldiers deputed there, take leave and go to their homes, they are provided trucks. A truck carrying such jawans met with an accident a few days back in which several jawans died. But the hon. Members will be astonished to know that the truck

carrying the jawans\*.....The hon. Members may well imagine from this incident what the situation is there. A report to this effect was published in all the newspapers.

MAJ. GENERAL (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal) : What evidence the hon. Member has got? How can he blame to whole army. He cannot say so in general. If an individual is guilty, the matter can be understood but it is not proper to level an allegation on the army in general. Mr. Deputy Speaker, Sir, my submission is that whatever allegations have been levelled by the hon. Member on the army in general, is not good on his part. He may mention the name of an individual.

SHRI S.M. LALJAN BASHA : I am making a mention of the facts what has been published in the newspapers. Since the hon. Member had been in army, it is quite but natural that he will be agitated, because he himself was an army officer. However, I am referring only to what happened there and what has appeared in the newspaper.

[English]

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI : This is not fair. He is making an allegation about the Army without any basis.....[Interruptions].....

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI R. L. BHATTIA) : It should not go on record. There should not be any aspersion on the Army.

MR. DEPUTY SPEAKER : Mr. Basha, leave that.

[Interruptions]

MR. DEPUTY SPEAKER : That will not go on record.

[Translation]

SHRI S.M. LALJAN BASHA : I am making a mention of the things that were recovered from the truck. Cannot I make a mention of the accident? It has already appeared in the press.

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\*Not recorded.

MAJ. GENERAL (RETD) BHUWAN CHANDRA KHANDURI : What do you mean by army. You cannot blame the army in general. You may mention the name of a jawan.

SHRI S.M. LALJAN BASHA : I am not talking of the army but making a mention of the things that were recovered from the truck. Everything has already appeared in the press. What objections do you have in this regard?

We want the Government to be aware of what problems a common man faces in Kashmir at present and take measures to remove them. Why there has been a considerable increase in the number of militants? Why people are taking recourse to militancy. The Government should know all about it.

Mr. Minister, I would like to submit that when we were sitting with the hon. Governor, some of the local residents came and told us that earlier, it was difficult to find an ordinary knife even after searching 5-6 houses; but today the situation is such that everybody is possessing machine gun. How far the situation has changed, the hon. Minister may well imagine. The Government should think seriously as to why the present situation has arisen in Kashmir.

During this period, the Minister paid several visits to the valley and if he found any change the Government should take interest in the matter and take measures to further improve it. This is my submission. Kashmir is an integral part of this country and would remain so. People of the valley want to stay with India but they are discriminated in the matters of education and employment. The reason is that 93 percent of the total population of the valley are Muslims and 7 percent others belong to minorities. Despite this, they do not get any representation either in jobs or in other matters. They complain that injustice is done to them in every matter. The Government should keep this fact also in view and give representation to them in jobs and other fields as per their existing population. Discriminatory attitude towards them has created an impression among them that they are not given equal treatment and that rather they are given step motherly treatment though they are the citizens of India. I would like the Government to keep this factor in mind and instead of bringing any Motion for the extension of President's Rule in the valley it

should make efforts to solve the problem at the earliest. At the same time, the Government should take all the political parties into confidence and start the election process because it is not the concern of any particular political party. All the parties should make efforts to find out an amicable solution. Kashmir is a good source of earning foreign exchange to us because tourists on a large number come there through whom the country gets foreign exchange. However, due to the deterioration in the situation there the tourists have stopped coming there. Therefore, in the prevailing circumstances it is very essential to help Kashmir. Keeping this fact in view I support this Bill and submit to the hon. Minister not to prolong it any more.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK) : Sir, there are very important items listed in today's list of business and this being the last day of the session, I request that if we restrict the discussion to the given time, then I think we will be able to complete the business. We have the Resolution, Rajasthan State Electricity Board, Extradition (Amendment) Bill, Transplantation of Human Organs Bill and two more discussiops. Only if we restrict our discussion within the given time, we will be able to complete it. Otherwise, we will not be able to pass it.

[Translation]

DR. LAXMINARAYAN PANDEYA : (Mandsaur) : Mr. Deputy Speaker, Sir, the Kashmir issue being discussed is very important. The Government wants to extend the President's Rule there while the law and order situation is not improving and terrorism goes on increasing and even then you do not allow the Members to speak.

[English]

MR. DEPUTY SPEAKER : On Jammu and Kashmir, we had a threadbare discussion. This is not the first time that we are discussing it. Every political party and every hon. Member had given their valuable and construction at that time.

[Translation]

MAJ. GENERAL (RETD.) BHUWAN CHANDRA KHANDURI: Mr. Deputy Speaker, Sir, we sat late the day before yesterday. We also sat till 8 PM yesterday. In spite of this, if the hon. Minister has failed to get the Bill passed what is our fault?

SHRI MUKUL WASNIK: Mr. Deputy Speaker, we are not at all blaming the hon. Member my only submission is that today is the last day of the session and we are to pass 2-4 more Bills. Therefore, I would like that the discussion should be completed in 2 hours as decided.

So far as the submission of Dr. Pandeya is concerned, I think that he is a very wise and sensible person. Therefore, I hope that he would realise the situation.

DR. LAXMINARAYAN PANDEYA: Mr. Minister, that cannot be completed today.

[English]

MR. DEPUTY SPEAKER: Mr. Jha, I would like to bring to your notice that the time given for CPI is three minutes.

SHRI BHOGENDRA JHA (Madhubani): Then, it is better not to speak anything.

MR. DEPUTY SPEAKER: Do not get annoyed. You are a senior most Member and you are representing in the Business Advisory Committee. Certain time is allotted and within that time, we have to function.

[Translation]

SHRI BHOGENDRA JHA: Mr. Deputy Speaker, Sir, I will not go into details. The Kashmir problem originates from 1947 and in that regard, our State Minister, Internal Security, in the Ministry of Home Affairs is not personally responsible for it, as he was not there at that time. We, the freedom fighters, cannot relieve ourselves from our responsibility, but today it will not do by just weeping on it.

Mr. Deputy Speaker, Sir, recently a Committee was formed on Kashmir and alongwith it, we toured Leh, Laddakh, Kargil and Jammu on the 25th. I feel somewhat guilty for the people of

Jammu, because we were not able to listen to them for want of time. We could not listen to those persons, who have become displaced in their own country and are living in Jammu and Delhi after migrating from the valley. What can be said about giving assurances. Our delegation promised them to see them again. Now it is upto the Government to decide when and how the next delegation will go there.

Mr. Deputy Speaker, Sir, I will be brief to save the time. A part of the valley is in favour of free Kashmir and the other part is in favour of India, but this part is unable to voice its views, as it is being suppressed.

Since 1986, when the slogan to demolish the disputed structure in Ayodhya was raised, the voice of the Kashmiris favouring India was weakened and it has become more weak after the incident of 6th December. The bases, on which they used to favour India, have weakened. If we throw a ball towards a wall, it hits back to another wall.....[Interruptions] I am not expressing doubts about anyone's intentions, but only telling about the result. [Interruptions] The Government gave one view about the Babri Masjid dispute and the others gave another view about it and the activists were provoked to demolish the structure and thousands were killed. The people were not apprised of the factual situation. I brought it before the House and the entire media went on strike. They did not find it appropriate to bring out this information that 14 temple pillars of Gupta era were found under the ground and the mosque structure was raised on them. Those who call themselves secular suppressed this information and kept the fact away from the people. That is why, I had asked at that time to table the photographs. I am still having it and you can take it from me. That is why, I am calling it a disputed structure. Had the fact been brought before the people, the country could have been saved from the communal riots and the structure could also have been saved. They would not have got the opportunity to demolish it and no communalism would have spread in its name.

The voice of pro-Indians have weakened. Pro-Pakistan people are in minority, but their

voice is loud, as they are getting accommodation, means and money support. Our media or our political parties do not want to tell this fact that a large number of people, who want to go to Pakistan, want to remain independent and our political, defence and propagation policy should be formed according to it. Just now, an hon. Member was saying that for the first time he heard that there is a third opinion. But it is true that the number of the people, who want independent Kashmir, is larger than those who want to go to Pakistan.

Due to shortage of time, I will not go into details how the delegations of the people and the lawyers came to meet us in October, despite the restrictions imposed by the terrorists. This mental division has taken place in Laddakh also. Whereas, Leh is dominated by Buddhists, Kargil is dominated by Shiya Muslims. Even a group, named Ayotollah Financial Corporation was formed in Kargil. Though at present, the group looks innocent, but we cannot close our eyes from the impending danger. As the Kashmir valley is dominated by Sunni Muslims, they are not much attached with them. They are demanding a separate Lok Sabha constituency and a separate State. May be the Home Ministry is aware of these things. If not, they should get it. The Government of India should set up a tourist centre at the place, where River Sindhu originating from Mansarovar, enters into our country. It will serve as a tourist centre and cultural centre for the pilgrims going to Mansarovar and Kailash and will also work for the development of the Laddakh region. It is a very important place.

We have an agreement with Pakistan that we will not utilise the water of River Sindh more than a fixed limit. Laddakh is entirely a desert area. Pt. Jawaharlal Nehru had said at that time that there was not even a single leaf of grass. May be, the situation has changed a little, but it's still the same. Water will not be needed for generating power. I think, we can do electrification of Laddakh and Kargil through mini-hydro project. If electricity can be provided to them at cheaper rate, small scale industries and cottage industries can be developed there. So, hydro electricity can be produced from River Sindhu and Pakistan will also not get any chance to object.

Whenever any initiative is taken to solve the issue, something adverse is done. The Congress

Government made the issue more complicated by removing Shri Farooq Abdullah and appointing Shri G.M. Shah as the Chief Minister of the State. The Congress Party did this unjustified thing and we had to face its consequences. May be, they felt their mistake. Shri Farooq Abdullah again came to power but the Janta Dal Government supported by us, sent Shri Jagmohan there to force Shri Farooq Abdullah to resign. The State Assembly was dissolved. I think neither we, nor the B.J.P. can become free of this charge. From time to time, the State Assembly was dissolved, we have only the relation of gun with Kashmir. There is no elected Government. So, it is the fault of the Congress Party. We are sorry for the mistake we have made. The daughter of the then Home Minister was abducted, but he acted as a loving father of a loving daughter and got her released. As a result, the terrorists were encouraged. The Union Government had to eat the humble pie. The security forces were demoralised and the country lost its face. This also gave rise to such incidents in the country. If anyone is abducted, he is either released on ransom or is killed. I am not saying that this is the fault of any particular person. But you cannot shrug off the responsibility.

I would like to submit about what should be done in the next phase. Kashmiri language should be encouraged. This is an old language which has its own folk-literature, folk-poetry and folk-songs. They should be encouraged. Kashmiris are very cordial people. This quality is slowly disappearing from all the sects. It is there in speaking, but writings lack this quality. Kashmiri language should be given encouragement under the literacy campaign. This will help a lot in linking the conscience of Kashmir with our country. Dogri language is still used in the Jammu region, but Kashmiri language is losing its existence in Kashmir. The State Government has always tried to suppress. You should pay attention towards this. If there are doubts in this regard, I am myself ready to talk. In Kashmir, the Ministers talk in Kashmiri, but do not understand its necessity, once they come here. You should immediately decide in this regard. It will bring stability in the region. I think panchayat elections should be held there after judging the situation. The Government should take the initiative now. Shri Pilot should muster courage today. The election of Gram Panchayats provided under the Constitution should be held. Necessary amendments may be

[Sh. Bhogendra Jha]

made in the law and free and fair elections should be conducted sincerely. Whoever, wins, whether he is pro-Pakistan, extremist or peace-loving, should be allowed to come. Those who will work for development through Panchayats will be known among the people. If one will misuse his post and alienate himself from the people, they will themselves oppose him. At present, the Government is working for their good, but still it is being defamed. The country is being defamed. Corrupt officials help the terrorists and they take their side after being bribed. The situation is very bad, so, even if we spend more funds, we cannot stop his mental division. Whoever wins the Gram Panchayat elections will not pose a threat to our national unity.

I would urge that the Lok Sabha elections should be held in the second phase.

In the next phase, I am knowingly, separating them, as I could understand, the elected Members, whether 6,5,4 or 3, will come in this House and say that they want to go to Pakistan. Everyone is free to express his views in this House. Democracy is a means as well as end also. They will see that everyone here has the right to freely express his views, which is not possible in many other countries.....

[English]

MR. DEPUTY SPEAKER : The time allotted for you is over, I am ringing the bell for the third time now. When I was ringing the bell, probably, you could not hear it. So, you have to respect the decision of the House.

[Translation]

SHRI BHOGENDRA JHA : I want full two minutes. I am going to make my suggestion.

MR. DEPUTY SPEAKER : We are receiving suggestions in plenty.

SHRI BHOGENDRA JHA : I will conclude precisely in two minutes and listen to the bell.

The Lok Sabha elections should be conducted in the second phase and there is not much danger in it. Those who will be elected may express their wrong or right views here. We say a lot of irrelevant things in the House, as everyone is free to speak. This is the quality as well as

drawback of this House. May be, 4 or 5 Members more will say unreasonable or reasonable things. This will not do any harm to the great democracy like ours. This will only have a favourable effect on our unity. In the third phase, elections of the State Assembly should be held, which hold more meaning. I am not going in to its description, as it can be taken up separately. So, State Assembly elections should be conducted in the third phase. But, the Panchayat elections should be announced and it should be held before winter. No harm is going to be caused. The Government will be able to bring about a very good change through this step. Those who want to do something constructive, bring improvements and want to promote themselves will be encouraged through this step.

Kashmiri youth should be provided employment outside Kashmir. The Kashmiris should be assisted to set up productive industries under self-employment scheme. Setting up of industries run by the outsiders will not give the desired result. They are apple-growers. But, at present, apples are being sold at very cheap rates, which has ruined the farmers there. The Government should buy apples from them at minimum support price and market them, so that the consumers get them at cheaper rates and the growers also get remunerative prices for their produce. This system should be strengthened, which will bring democratic development as well.

There has been repeated interferences from the group of muslim countries. Earlier, Afghanistan and Iraq used to give a favourable view towards our country. But, we did something wrong with Iraq. On 30th of September, 1990, the then Janta Dal Government, allowed the American war planes to cross over our sky for going to Iraq. Chandrashekharji also allowed the bomber planes to take fuel at Bombay, Iraq was shocked at this decision. I would say that a delegation of Iraq along with the Foreign Minister wants to visit our country. A convention of All India Kisan Sabha was held at Madhubani. We had sent invitation and the President of Iraq, Shri Saddam Hussain had sent a personal representative in the convention. On the basis of these things, I can say that Iraq can be our friend on a secularist basis. We should tell the Islamic countries not to interfere in our internal matters, as it is not at all a friendly action.

[English]

MR. DEPUTY-SPEAKER: The Chairman who was sitting in the Chair before I occupied the Chair, he had noted the names of the hon. Members who are to be called. I have not made any manipulation here. Of course in the list Prof. Dhumal's name is there. At that time, I do not know, whether you were there or not. If there are any mistakes, those can be rectified any time, if they are brought to our notice. After Prof. Dhumal, it will be Mr. Chitta Basu.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI: What about my name?

PROF. PREM DHUMAL: Let Mr. Khanduri speak first.

MR. DEPUTY-SPEAKER: All right.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI: We are here once again to discuss the extension of President's Rule in Jammu & Kashmir. This has become a routine. I do not know whether it could be called a farce or a fashion to come every six months. Everybody makes his own speech, gives his own suggestions and then we get back to the same old routine and nothing seems to happen. I do not know how long this will carry on. I do hope this does not carry on too long. But the way things are going on, there seems to be not much hope, because things during the past 3 1/2 years of President's Rule instead of improving are deteriorating. The road that we are following. If it was on the path of improvement towards those eventual elections, probably, there would be some hope; but, I think, we are on the road to nowhere the way things are going on, the way things are deteriorating, the things are getting worse; and I do not know how and when eventually we will get over this business of extension of President's Rule.

Now, before I come on to some of the major points, I would like to quickly recapitulate my impression of the genesis of the problems in Jammu and Kashmir. I, after getting commissioned in 1954, landed in Jammu and Kashmir; and thereafter, I had a number of tenures. So, one could say that almost for the last 40 years, I have been in some way or the other connected with Jammu and Kashmir.

Recently also, when there was trouble in Doda, I had gone there. Again, when 16 people were massacred in a bus by militants, I had gone there. Therefore, I would just like to submit that I have some close association with Jammu and Kashmir. Therefore, when I say what has been the genesis of trouble, I say it with personal knowledge and experience. I think, there are two main reasons why they are landed where they have landed today.

The first is corruption—corruption of two types, namely political and financial. As far as financial corruption is concerned, I think it has become a fashion in this country to say that it is an international phenomenon. Well, in Jammu and Kashmir, I think, it has been going on for a long time. Otherwise, Rs. 70,000 crore of money that had been spent, that had gone there till 1989, we do not see any development, any improvement there. Therefore, this corruption has not only created terrorism but increased terrorism. There are many examples of it; but I would not like to go into all of them. Today's *Indian Express* has mentioned about it. I do not know whether it has been brought to the notice of the Minister; may be it will be brought to his notice later on. This gives an example of Poonch area. The people who want to go across, Pakistan is abetting them. What does this newspaper say? It gives a long report. It reads as follows:

"The extent of bureaucratic corruption at the root of the public disenchantment in the area can be gauged from the fact that the vigilance department has been probing bunglings in the distribution of Rs. 65 lakh for flood relief."

And the heading is that people from Poonch area are leaving Poonch and going over to Pakistan. This is the type of corruption that is going on in Jammu and Kashmir; and there seems to be no apparent bid all these years to stop it. Now, we do hear some more people getting punished in the last couple of months; but there has been no effort to stop it; in fact, there has been an impression that we are encouraging this corruption in order to encourage political manipulation. So, I would suggest that, unless we are really sincere, truthful and try to control this corruption, we would not be able to succeed in the eventual aim of bringing the people of that area, particularly the Kashmir Valley, into the national mainstream.

[Maj. Gen. Bhuwan Chandra Khunduri]

Initially, if we go into the causes, we would know that the trouble started mainly with the corruption. People were fed up with corruption. During the earlier period, when Mr. Jag Mohan was trying to control it, various things happened. But I would not like to go into them. One of the main reasons was corruption. As far as political corruption is concerned, it is equally bad. The political corruption in this also goes back to a long time. We have done various things. Mr. Bhogendra Jha just now spoke when Farooq Abdullah was not desirable, was not friendly, Shah was brought in. When Farooq Abdullah became friendly towards Congress and alongwith him, you manipulated 1987 elections so blatantly that people got fed up and they got an impression of Kashmir Valley, particular and entire Jammu & Kashmir in general that there was no democracy in India; that is why that has been the main reason. Therefore, I say, the second aspect is the political corruption which is going on. I think this needs to be stopped; and that is why, unless we take stock of the things and unless you yourselves are truthful, I have no hope.

There is no point in merely making speeches here and giving long lectures and thereafter trying to do the same political corruption, which is going on all these years; it must stop.

The second reason for Terrorism as per my perception is that the habit of various political parties, who have been in the power in the centre, of fishing in troubled waters. The Congress has developed an expertise of manipulating, creating problems and thereafter fishing in troubled waters.

You have the credit of separating Hindus and Sikhs in Punjab which nobody could even think of. As I have said, I had been in the Army and we in the Army did not even know what is the difference between the two. Now because of your political manipulations you have done this. For heavens sake, please get over this problem. You will not reach anywhere if you continue with this. People have become wise now and in the national interest, kindly do not try to create problems and then have benefit out of this. I think, these are the two main reasons why problems have been created in Jammu & Kashmir.

What has been the manifestations of these? I would not like to repeat it because Shri Bhogendra Jha has just now talked about as to how elections were manipulated. But I would like to disagree with him on one point. He said that when Shri Farooq Abdullah was in power some Government had dismissed him. I think that Government had no legitimacy. If you come by pure and 100 per cent rigging, how is it that Government got any justification to stay in power? But when Shri Jagmohan was doing a good job there, people were coming into mainstream, he was fighting corruption and he was controlling terrorism and then, again whichever political party was there, same political manipulation, same fishing in the troubled waters, something, trying to get your own man there, some people got him out.

If we say that Shri Jagmohan was very tough then why Shri Saxena was changed? Was he being very tough or was he being very soft? What is it? In any case, I ask you that if Centre has a clear cut policy, how does it matter whether A or B or C is Governor. Of course, you should have a good man. But if Centre gives direction to the Governor, Governor will follow that. But today what are we doing? They say, 'I want this fellow, that fellow, somebody for own personal reasons, etc.' This is the type of thing that is happening and which is creating problems.

Now this happened earlier on. The political dishonesty, corruption, laissez-faire, weak-kneed attitude towards terrorism are the reasons which have landed us where we are today. Now what happened in the last two years? We have become masters of ad-hocism. Earlier on, there seemed to be no policy. Then Shri Rajesh Pilot came and we had a different impression. They say that three different centres were working. We hear of Rajesh-Farooq friendship which resulted, I am told, in appointing a particular Governor, in appointing a particular Advisor, in appointing a particular Chief Secretary about whom we have already talked. What sort of a background they had? If this sort of a thing is to be done on individual personal basis, things are not going to work out.

We talk of discussion with the opposition. Did the Government take opposition into confidence? Call all the opposition leaders and



say that here are the people, we want to give charge in Jammu & Kashmir, here is the Governor we want to appoint. It is not going to be your personal affair that just because Shri Farooq Abdullah wanted to put his people, you must get the whole team back, which had, in any case, proved to be unsuccessful. This type of things have been happening and it is not good.

The figures have been given for the last three years as to how many have been killed. All that, I would not like to repeat but just to say that 572 security people have been killed and 1934 have been injured, in addition to the other figures that have been given. There are a large number of houses and bridges which have been burnt. This has been the achievement in the last three years.

The causes of deterioration have been many. I would not like to stress on those but as far as external agency is concerned—about internal I have talked in brief—we have been saying that Pakistan is responsible. Now this Government openly blames Pakistan for creating troubles for us and for proxy war. What has the Government of India done? All that we do is to go crying to USA, weeping, sobbing, 'please put Pakistan on terrorist list'. So what, if it puts it or does not put it? Are we not capable of taking any action ourselves? Can we not teach Pakistan a lesson that 'you mind your own business'? The proxy war can be played by two people. Can we not create similar trouble for them? What are we hesitant about? Why are we not doing it? America can go and bomb Iraq just because they thought that some conspiracy was there to kill Bush. They could do all these things and here in India we cannot even bomb the terrorist training areas and hideouts in occupied Kashmir.

When BJP suggests this, you say that we are anti-Pakistan, we are this, that and all these things. Now it is to tell you that this sort of an advice is not merely a military man's advice or BJP's war or fundamentalism or fanaticism or anti-Pakistan attitude.

I would like to read out to you what Shri T.N. Kaul—I am sure that we do not have to talk about his credentials and how long he served the country—and what he says in a long article. He says—

"India has the right and duty to retaliate and even bomb the Pak bases and training camps in POK, if necessary. Has the Government of India the courage and guts to do so? Nothing else will deter Pakistan."

Why do you not do it? What is stopping you? How long will you tolerate this nonsense from Pakistan? How long will you play this friendly game when Pakistan is stabbing you in the back and not only in the back but in the front also?

I can tell the hon. Minister who is an ex-serviceman, from my personal experience, as I had served in Jammu and Kashmir that Pakistan in these issues understands the game only when you give them two slaps if they give you one. They do not understand any other game; and unless we do this, unless we stop the infiltration from across the borders, the Government's problems are not going to be solved.

We talk of sealing the international border. The Hon. Minister and I know how difficult it is. Can this stop infiltration? Blatantly they are coming and we are doing nothing about it. So, I feel very strongly about it and I request that some thing should be done. I know that it has to be done at a particular level in a particular manner. That message to Pakistan must go loud and clear, that, "You mind your business; otherwise if you can play this game, we can play this game better than you." I request that this matter may be given serious consideration.

I next come to handling of insurgency or terrorism. Shri Rajesh Pilot is an ex-serviceman; so am I. He knows that insurgency has never been and can never be finished by half-hearted, weak-kneed measures; History has taught us that in many countries. When toughness is required, it is foolish to be soft, lenient or vacillating. Use of force without relentless firmness is counter-productive in insurgency. It sends the wrong signals and it creates problems for the Government. The force meant to curb insurgency should not be used against innocent people, against our own brothers in the case of Jammu and Kashmir, and it should not also be used against people who are being misguided. But there is no justification for the

[Maj. Gen. Bhuwan Chandra Khunduri]

Government not to use force—but full force—against the terrorists and criminals who have been trained in Pakistan and who are day in and day out killing our own people. The Government has no justification for not giving the exemplary punishment to those mercenaries who have come from other countries. They should not only be punished exemplarily, but they should be punished publicly. Some say that they are mercenaries who have come from other countries and it may create problems. Insurgency is not going to be controlled by this sort of a policy. We will only be playing the game of Pakistan. That is what exactly Pakistan wants. It wants you to exhaust your energy by slowly burning yourself and your energies out and at the appropriate time they will do something which we will not be able to resist.

The other point is about unified command. We have been hearing off and on that there is some sort of unified command. I am just coming from Doda district. I had gone to Kishtwar also. On 20th and 21st I was there. I saw that some Army deployment was there. But the concept of unified command, as it should be in a practical concept, was nowhere there. I do not know; again it is said only for public consumption that we say that Army is taking over, or has taken over. It is not fair. Therefore, I request you that there should be a proper unified command under the control of the Army, accountable with all the necessary intelligence resources and communication resources. I would also like to tell the Government that both the para-military forces and the Army do not have the communications system or the intelligence system that the terrorists have today. The type of radio sets the terrorists have even the Army does not have. Unless you are one better than them in terms of intelligence and communication, things will not improve.

As far as insurgency is concerned, I would like to tell the Government, that they should not do these things in instalments. They have to take one strong definite action against insurgency. Then only they will be able to control it. Otherwise it cannot be done.

My next point is also a very important point. I do not know frankly why this is not being done. There are a large number of ex-servicemen in Jammu and Kashmir. I have given this figure in my report. There are 10,000 in Doda district alone.

They are now fighting against the terrorists with their own ordinary weapons. Somebody has got 12 bore gun or a single barrel gun. Even with that they are fighting. All that they are saying is: "Please give us semi-automatic weapons or automatic weapons, and give us ammunitions. We do not want anything else." I do not know why this Government is not using them. I would certainly like to know from the Minister as to why this force is not being used. It is all over in Jammu and Kashmir, in all the Districts. You have got over 12000 AK 47 captured rifles lying in your stores. A large quantity of ammunitions are lying in your stores. Why are these rotting in your stores? Why are they not being used? I can tell you that if you organise this properly, then within a month you will see a dramatic change in the terrorist activity in Jammu and Kashmir. So, kindly take note of this seriously. We have been requesting you time and again but nothing has happened so far. Every exsoldier says: "Kindly give us weapons, ammunitions. We will handle the people on our own. We do not want anybody."

Then, I would like to mention a word about my visit to Doda, where 16 people had been massacred. A very good thing had happened there. I reached Doda on 20th. Both Hindus and Muslims had formed a Joint Action Committee. This massacre took place on 14th. Immediately, all Muslims condemned this incident. The Muslim organisation at Kishtwar condemned this. Shops were closed. There was a *bandh* on that day. Therefore, there was some sort of a semblance of ill feelings between Hindus and Muslims getting reduced. Hindus and Muslims are organising joint action there. It was very encouraging.

Now, the administration is creating problems so that the Hindu-Muslim unity does not succeed. And shall I say, they are interfering with Hindu-Muslim goodwill. I will give you a few examples how the Hindus feel that they are alienated. They feel that the administration is only now playing to the games of the terrorists.

Sir, I had given a report. I had mentioned about this last time also. In this report, I had given some suggestions on my 6th May visit. One Mr. Thakur was killed in Doda in

December last year. He had written a letter to the Commissioner that he was going to be killed and asked him to do something on that. Within seven days, he was killed. Till today there has been no inquiry about it. Between 6th and 8th May I was there. On 10th, one Mr. Bhandari was killed in Kishtwar in his shop during daylight. There has been no inquiry on that. Thereafter, the ladies of Kishtwar took out a procession on 18th and the police opened firing on them without the authority of the Magistrate. Please understand this. The Magistrate authority was not given. One boy was killed in that firing. It was a firing on the ladies. Till today no inquiry has been carried out even after the unauthorised firing, wherein one boy was killed. Simultaneously, a Muslim person was killed during this trouble by the Hindus. There is no doubt about it. Immediately, within 24 hours, thirty people were arrested. Twenty of them were put under TADA and IPC 302. They were tortured and mercilessly beaten up badly and five of them are in custody till today under TADA and IPC 302. On the one side, two persons were killed and no inquiry was conducted. On the other side, police arrested and tortured 20 people. When I asked the Deputy Commissioner of Doda as to why no enquiry had been ordered, he said: "I have just come. I do not know what has happened." This type of a problem is creating ill-will between Hindus and Muslims. The administration is responsible for this. Unless this is cleared out, things will not improve.

One very important point—in fact I started speaking about this in the beginning of my speech—is about human rights. Lot of people have said about this. They are blaming and they are talking about Army, BSF and CRPF.

I would like to ask these people here as to how many of them know that the people who are manning these areas are fighting the criminal terrorists and are being killed in cold blood by these very people whose case they are projecting. It is very unfair on the forces—our Army and Paramilitary Forces that you blame them for being harsh on the terrorists. Why should they not be harsh? Sir, I want you to see yesterday's issue of the Indian Express.

MR. DEPUTY SPEAKER: Shri Khanduri, we have sufficiently discussed the

Jammu and Kashmir matter. The time at our disposal is really very little. You have already taken more than fifteen minutes.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI: Sir, I will take two more minutes.

MR. DEPUTY SPEAKER: The cooperation of the Members is absolutely essential. The time cannot be made elastic. It serves no purpose. Please conclude now.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI: Sir, this is one most important point which I feel very strongly about and which I would like to convey here. The Services and our Paramilitary Forces are being misrepresented and the Government is also responsible for this. You see this particular incident. A man of 28 years had been shot by the terrorists when they came surrounded with young girls. This sick man from the B.S.F. did not fire at the terrorists because they were with the girls. From a position where surrounded by girls, the terrorist fired at this man. Today he is seriously injured. He cannot even talk. Are you expecting this gentleman who is fighting against terrorists to call that man and ask—'Are you a terrorist; then please let me know; then I will fight with you?' It is very unfair. All these people are talking so many things here. I want to know how many of their children are serving there? Would they like their children to be killed like this at a place where the terrorists are coming and hitting from the back? You talk of human rights here. Why should you bother about Amnesty International or Asia Watch? We should satisfy ourselves. We should look after our interests.

I request you not to get deterred by this unnecessary issue of human rights. We should do the right thing. But, at the same time, you cannot tie the hands of troops behind their backs and then ask them to fight the terrorists. They will not fight them. You demoralise and discourage them. Then you will have a situation where they will say that they will not go there. Why are the people not wanting to go to J&K today? Everybody who is posted to J&K comes out with a request for change of posting. This is the type of impression that is being created.

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Therefore, I would request that the views of the Services side should also be seriously considered. I would request the Government to bring more and more such cases to public knowledge where the troops have been killed or maimed because of such incidents, when they play decent—when they were decent with the local people and the terrorists harmed them misusing their decency.

Sir, I thank you very much for the opportunity given. I support this motion. We have to support it. We have no way of not extending the President's rule in J&K. But I do hope that some concrete measures will come under the present set up.

MR. DEPUTY SPEAKER: Shri Chitta Basu may speak. Shri Basuji, you belong to a small group consisting of seven political parties and all put together have four minutes. You will not take more time.

SHRI CHITTA BASU (Barasat): Sir, I know my limitation.

I rise to support the motion because it is a *fait accompli*. There is no other alternative at the present moment with the Government. Therefore, I feel that this motion is to be passed by the House. But, at the same time, I want to make it clearly known to the Government that they should take advantage of the coming six months for taking certain concrete steps so that the election could be held; democratic process can be resumed and a democratic administration or democratic governance becomes possible.

At the outset I want to make my position clear. Kashmir is a problem which is a national one. This national problem has no military solution. Any attempt to have a military solution to this national problem would be disastrous. The only way out is a political solution of the problem. There may be different views regarding the ingredients for political solution. Now the basic point has been raised that there should be larger autonomy as one of the solutions of the Kashmir problem and a very important of political solution of the problem.

In this connection, I simply want the reaction of the Government and that is the purpose of my intervention at this stage. Now, in

Kashmir a section of the people has raised the demand of 'return to 1952 status of Kashmir'. Naturally, when the Government says that they also want to work out a political solution within the framework of the Indian Constitution, Indian Constitution also envisages autonomy for the States. I am not coming into the controversial aspect of this point. This demand of 'return to 1952 status' and system of the Government then prevailing would amount to, according to me, a quasi-independent State. And what is the Government to that particular suggestion made by many?

Sir, the Kashmiris have been alienated and there cannot be any doubt about it. But, what are the reasons for the alienation of the Kashmiri masses? Unless we identify them, we will not be able to find out the remedial measures. To be very brief, the main reasons for the alienation of the Kashmiris from the mainstream of politics are, family rule, dynastic rule, corruption, suppression of opposition, suppression of people's genuine aspirations, subversion of the democratic processes, rigging of 1983 and 1987 Assembly elections and the Lok Sabha election of 1989 and Pakistan's State-sponsored terrorism. These are the main reasons for the alienation of the Kashmiri people from the mainstream politics. I think, the Government of India should take appropriate and proper steps to see that all these grounds are removed as early as possible and the people's involvement in the Government of Jammu and Kashmir is ensured.

14.57 hrs.

[SHRIMATI MALINI BHATTACHARYA  
in the Chair]

Madam, coming to the point of 1952 status, I also want to remind the House of certain historical facts. It is known that between 1953 and 1975, a large number of Central Laws and Institutions were extended to Jammu and Kashmir. This enabled the people of Jammu and Kashmir to get enhanced Central assistance on the basis of 90 per cent grant and 10 per cent loan. That also led to further integration of Kashmir into India. There was a question even in the 1975 agreement which was made between Shrimati Indira Gandhi and Shri Sheikh Abdullah. Under that agreement it was agreed that even if the Sheikh Abdullah Government wants that certain Central Laws

should be withdrawn, the Government would accept it. That was one of the conditions of the agreement of 1975 made between Shrimati Indira Gandhi and Shri Sheikh Abdullah. As a matter of fact, Shri Sheikh Abdullah appointed a three member Committee in 1977. The term of reference of that Committee was to identify those Central Laws which are considered as injurious to the State's political and economic interests. I have got all the details of the deliberations of that Committee and its recommendations. The recommendations are not unanimous and there are two contradictory recommendations. Mr. D.D. Thakur, one of the member of that Committee, then observed that the hands of the clock of history cannot be turned back and the application of Central Laws produced more positive results. This is one view. Of course, a contrary view was also there. Now, in this situation, I want to know whether the Government is considering to have a comprehensive and integrated policy on Kashmir which envisages the involvement of the people and more autonomy to the State.

15.00 hrs.

If that constitutes the basic approach of the Government in so far as formulating the future programme with regard to Jammu and Kashmir is concerned, what would be the reaction of the Government in this matter?

My second point is that India's propaganda in regard to Kashmir situation is very weak abroad. Chitra Subramaniam wrote, only on 24th of this month, from Geneva. She says :—

"The average foreigner now believes that Kashmir is occupied by India."

She further goes on to say :—

"Western media mentions Kashmir along with Bosnia."

This is one of the impression which one of the noted journalists of India has been having and it has been printed here in this country.

It is reported that United Nations Human Rights Sub-Commission on Discrimination and Protection of Minorities, have decided to send a representative of the United Nations to visit Jammu and Kashmir and have a first-hand knowledge of the situation prevailing there.

It relates to the Ministry of External Affairs. I was emboldened to raise this question when the hon. Minister was here. But he is not here now. What is the approach of the Government of India to it and what is the Government of India's decision in allowing and not allowing the United Nations representative to peacefully visit Jammu and Kashmir?

One of the Indian citizens who is now in Geneva who is ex-Justice Rajinder Sachhar is on record to say :—

"India's position is confused one and New Delhi had failed to make its case on Kashmir strong in any international fora. So, people here believe that India has occupied Kashmir".

Unless these issues are dealt with properly and unless the international media are properly educated and unless the international opinion is organised, the people will understand outside the country that we are occupying Jammu and Kashmir. As a matter of fact, that is not the policy of the Government. We are not occupying Jammu and Kashmir. Kashmir to us is not a territory. Kashmir to us is not merely a mountain. Kashmir to us is not merely hopes. Kashmir to us means the fabric of Indian unity and India's stability.

Therefore, this approach of India should be made known to the people outside so that international community could be won over and their support is also ensured and Pakistan's war policy can be combated and the terrorism sponsored by Pakistan can be effectively dealt with.

I feel the Government of India should take note of it and take appropriate political, administrative and economic measures to meet the situation arising out of the stalemate in Jammu and Kashmir.

With these words, I conclude.

[Translation]

PROF. PREM DHUMAL (Hamirpur): Mr. Chairman, through you I would like to draw the attention of the hon. Minister towards some important points. A question was earlier raised by some hon. Members regarding the change in population and the imbalance in the

[Prof. Prem Dhumal]

earlier population. I would like to give some figures in the House regarding the population of Kashmir. In 1941, the population of Muslims, Hindus and others were 83%, 15% and 2% respectively. In 1981, the population of Muslims, Hindus and others were 92%, 5% and 2.9% respectively and according to the latest figures, the population of Muslims and Hindus in 1991, are 97% and 0.1% respectively. It is clear from these figures that the number of Hindus is constantly decreasing and the number of Muslims is constantly increasing and this is a matter of grave concern.

Sir the present situation is such that more than 3 lakh Kashmiri Pandits have left Kashmir due to terrorism and more than one lakh pro-India Muslims have left the valley and migrated to Amritsar, Delhi, Jammu, Chandigarh and other parts of the country. So, we support this proposal of extending the Presidents Rule in the State for 6 more months. Our party has always been in favour of this fact that elections cannot be held there until the situation in Kashmir becomes normal and more than 4 lakh displaced persons, who include the Hindus, who have become refugees in their own country and the pro-India Muslims, go back to their homes.

Mr. Chairman, I would like to mention here about Sopore town. You will be surprised to know that there are 300 hired foreign soldiers, who have M-16 rifles of American-make, which can be used for firing a bullet as well as a cannon-ball. They have such automatic and latest weapons. Sir you will be surprised to know that Mohammadi Akbar Qureshi alias Akbar Bhai, a former associate of the Prime Minister of Afghanistan, Gulubuddin Hlikmatyar, used to have total control on the terrorists of Sopore. On 7th of August last, he was killed in a big operation carried out by the security forces. It is being said that now his place has been taken by his cousin brother, Shamsher Ahmed. A mourning procession was taken out in the lanes of Sopore after the death of Akbar. He was killed near Iqbal Market in this colony. The terrorists have even named the road leading to Bandipur as Akbarpur Road. Akbar used to be the so-called Chief Coordinator of Hijbul Mujahiddin in Sopore.

Mr. Chairman, our security forces are fighting a fierce battle under adverse conditions in Kashmir valley. But charges are sometimes

levelled here in the House and outside against the security forces which demoralise them. My submission, through you, is that those who are fighting for the security, unity and integrity of the country should not be subjected to charges of violation of human rights. Human rights do not belong to a particular person. Human rights are equal for everyone. The soldiers do have the same human rights as are enjoyed by civilians. When terrorists attack our security forces and kill them, then the human rights of security personnel are also violated. I, therefore, would like to warn you that those who are endangering their lives in the service of the country should not be blamed.

Mr. Chairman, there is a journalist who was earlier of opinion that this embroglio should be resolved through talks with them. He rang me up the day before yesterday and told me that there are around 14 thousand people at present who are active with sten-guns and A.K.-47 rifles. Shri Rajesh Pilot is dealing with them himself. He may contact the persons also who could assist in resolving this problem.

Mr. Chairman, the hon. Member Shri Satyapal Singh who spoke before me also said what I would like to say that a message should be sent that the traitors who are spreading terrorism would not be spared and stringent action would be taken against them.

Mr. Chairman, I want to draw the attention of the hon. Minister, through you, to my State Himachal Pradesh whose Chamba district border touches the border of Doda district of Jammu and Kashmir. Terrorists are infiltrating from Doda district into Chamba district. Some incidents have occurred there. These must have been brought to the notice of the hon. Minister. I request that additional funds should be provided to Himachal Pradesh to enable it to make its own security arrangement because it is not a good thing if a peaceful State falls in the grip of terrorism spreading in other State. Security forces should be reinforced there to avoid that.

I would like to bring to the notice of Mr. Rajesh Pilot in particular that on the day the Budget had been passed I had sought to know that when a situation has arisen in which people belonging to a particular community are being made to alight from buses and killed, has he issued orders to deploy security guards in the

buses? In the case of Punjab in such a situation security guards used to be deployed in buses. You had also given an assurance. You are requested to make it clear in your reply whether the buses plying in Jammu and Kashmir also carry security guards in them?

Our stand is becoming weak abroad. Some colleagues have suggested that a delegation of our Members of Parliament should go there and present our viewpoint. To what extent it is going to be possible is another matter. But what our Embassy is doing there. Anti-India news items are carried and pamphlets are distributed. I have come to know that our Ambassador has failed to seek an audience even with the secretary of State. He goes on a sightseeing of America. You know the person who has been sent there as Ambassador. belongs to your State. What did he do in Punjab? He never enjoyed a good reputation anywhere after that. The only official he has met in America said that whoever has spare time would fix a meeting with him. Such an Ambassador should be called back.

I gave 2-3 suggestions earlier also. In 1989 when the situation was worst he was the Governor there. Even his advisors are not effective. I understand that one of his advisors has come to Jammu from Srinagar and wants to be posted elsewhere. If the highly-placed officials who are well protected by security forces are not willing to discharge their duties how can you expect ordinary citizen to remain in the valley amidst terrorism.

I urge that people who want to do something for the country and who would be able to solve this problem effectively should be sent there. How many times will the delegation of Members of Parliament go and present our viewpoint. This is what the Embassy is supposed to do. You should contact the Ministry of External Affairs to see what the officials of department of External Affairs are doing. The Ministry of Information and Broadcasting should also be contacted to ask them to ensure that they can watch our programmes. People in Jammu mostly watch Pakistan Television. We may be able to resolve this imbroglio by cooperating with each other. We have to keep Kashmir with us by rising above party interests.

One committee has also been constituted. But its meeting is not held. Please take everybody into confidence. The whole nation is with you. The first and the foremost thing to ensure is that Kashmir is in India and will continue to remain in India.

MR. CHAIRMAN: Now the hon. Minister may reply.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT) : Sir, first of all I would thank all the hon. Members for coming out with candid views. Everybody put his suggestions here. This is a good practice in democracy. When somebody puts his views before the Parliament the Government takes steps acting on those suggestions which are in the interests of the country. Some views were expressed today. I have repeated it time and again in the House that the Kashmir problem is not solely of the Government nor of a single party, but it is the problem of the country as a whole. As everybody said we should rise above party interests and see how we can solve this problem. Our neighbouring country has put a very big challenge before us. We should meet the challenge together. We should remember the sacrifices made by thousands of our brethren. Our those brethren had made sacrifices to keep India united. India faced war twice in 1965 and 1971. Besides, small conflicts are taking place everyday. Our soldiers who are keeping vigil at the border have also kept Kashmir a part of India by making sacrifices. We should respect those sacrifices and work together to maintain the status quo in Kashmir as was just said by Dhimalji.

Some other points were raised simultaneously. Either those points could not be conveyed properly or our colleague Shri Khuranaji was misinformed. He said that discussions are not held in the Cabinet. This is not so. We not only discuss in the Cabinet but we have open discussion with our Council of Ministers in the same manner as we are doing it here. I don't know how he was misinformed. Anything said about our country, no matter I'm saying it or the Minister of Home is saying.....(Interruptions)

SHRI MADAN LAL KHURANA (South Delhi): Was the meeting of the Cabinet held by including it in the agenda?

**SHRI RAJESH PILOT:** Please leave this thing to us whether we work by including it in the agenda or not. We keep inviting Ministers for holding talks. The Government is run with collective responsibility.

We had received a statement in which it was alleged that the Government had not taken the opposition into confidence. I had tried myself in this regard. Shri Jaswantji is sitting here. He was also called therein. Shri Vajpayceji and Shri Chandrashekharji were also there. They were told the facts. The Government is contemplating to take such steps. We had discussed the matter openly. We had removed all shortcomings and also tried to implement those suggestions which came from opposition members. I think that we should also meet once more after the adjournment of the House. So that any member who wishes to put his ideas, he will do so. This is our future plan.

Every one is concerned with Kashmir problem. We do not want to adopt any other policy in this regard. It is correct that we are lagging behind in publicity. We could not project our view point upto the extent of our satisfaction. Now we have taken a distinct step in foreign as well as in internal publicity. We hope that it will take turn. We are strictly monitoring this programme in coordination with the Ministry of External Affairs so that it may not create an impression in the world that human rights are being violated in Kashmir. Shri Khandoorji was saying that the world should also know about the happenings of Kashmir. The job of army personnel working there has become very risky. They do not know from where the firing will occur. In army they are given training by giving a target. They have their target before them. They know whereto fire. In the language of army the jawan is taught about the angle of fire. The angle should be of 45 degree or 60 degree. But the training to fire in the angle of 360°, is not imparted anywhere in para-military forces. They are playing such role. They are instructed to stand under a tree. The jawan does not know from where the militants will attack and what would be their number. There may be one jawan and the number of militants may be 25. There may be 25 jawans but at the same time the number of militants may be 100. The para military forces are in such circumstances. We are not paying heed to their plight but

to human rights. Some countries are preaching India about human rights. It is a historical fact that India has itself fought against the cause at international forums. India has always been leading against the cause. I would like to assure that we will keep both aspects in mind. We will not allow any excesses to be committed and human rights violated. Besides this we will also look into the matters relating to our para-military forces, and see that forces should be not defamed.

Some other things are also told. A particular thing. Which I have noted is the feeling among the people that no action is being taken there and we are trying as the situation warrants. It is not our intention. I, personally, tell you honestly that I used to go there when I was in the Ministry of Communications. You should concede it a fact that people did not come out from their houses. I used to ask the concerned officers to make my contact with those people. Sometimes, I took my car and used to visit a particular house and request to offer him a cup of tea. I found the people panicked. They were struck with terror. There were only one or two families who used to welcome but they were also panicked. Now, a change has come steadily. I visit there, thousands of people reach there at guest house without information to convey their grievances. Earlier, the people were so much panicked that they used to hide their faces and refuse to see the team of Doordarshan. Now, that fear is decreasing steadily. Last time when I was on tour and was passing through the bye-pass of District Headquarters, people were stopping me on road and were talking about their grievances. They were saying why did you not listen about their freedom and some times they were saying that they needed freedom. At one place when I was crossing Fulvama people were sapling paddy plants, they came there to see the stickor of police department on my car. An old man complained me that his son who secured 70 per cent marks could not get admission in Medical College whereas an another boy of his village who secured 55 per cent marks got admission in medical college. I said that I will look into the matter personally and asked him to send his son with me I will try for his son's admission in any college. I brought him here and took him before Shri Shankaranandji and talked about his admission. Now such feeling is coming there that they are complaining against the injustice.



There were talks of corruption, such type of irregularities are order of the day there. As you have seen recently that a case of bungling of Rs. 8 crore was detected in the office of DC Anantnag. We took steps. Action was taken against 20-21 officers. The DC was arrested. We took such actions else where also in Kashmir. Now it is known to all that so long as corruption is there, they can not be self confident. Now they feel that they are not getting their due share.

Secondly, an incident was cited. A boy and his parents were killed in that incident. It is a fact that they were killed in cross firing when armed search was going on. As I was explained, the boy was going to his house and the police fired at him after his arrival at his residence. As soon as I heard this news, I ordered for an inquiry, and the concerned Police Inspector was arrested. In this way, an action against him was initiated then and there. You should also concede that such incidents throw us one or two months back. We are trying to improve the situation but due to such incidents we are taken aback.

We are issuing instructions to our para military forces, police and army from time and again that though they are working in such a hard conditions yet they have to act intelligently so that our brethren of Kashmir may not move away from the main stream and stern action be taken against the militants continuously. It is a difficult task. Therefore, we are thinking about unified command. Maj. Gen. Khanduri said that unified command was established so that all problems could be sorted out at single table. B.S.F. should operate after consulting army and army should operate in consultation with the B.S.F. C.R.P. and local Police should consult each other every day and their problems should be sorted out in a team's spirit. It is quiet possible that we may not get desired success by these actions. But I am confident that the situation will be improved steadily. While they were working separately, if anyone was first apprehended by the BSF and later on released, thereafter army arrested him. Thus the confusion was there. Now the situation is changed. Today if anybody is arrested, his relatives are told about his whereabouts within 24 hours of his arrest in such case. Thereafter the meeting of screening committee which is comprised of S.P., Collector, Army Officers of para-military

forces is held on every Monday. They examine their cases. If the committee finds anybody innocent, it released him immediately, if the committee finds anybody guilty, it recommends for legal action. I agree that there are some loopholes in this process. There are complaints. We are not getting the success upto that extent as we were expecting. This time when I visited Kashmir, people complained me that though in some districts screening committees have got success yet in some other districts they are not getting as such success as we were expecting. Now, when I shall visit there during September I will try to go to all these districts and will try to get all there loopholes removed.

I would like to inform the House when I visited there some Government officers were accompanying me. They were from the departments of—Tourism, Power, Finance, Telecom, Rural Development, Banking, Insurance, Agriculture and Medical. I had made up my mind that we would resolve their problems then and there in those meetings. When I went there the people used to ask that the amount of their loan had gone up very high and that should be rescheduled and the bank interest was also very high they could not pay it. They have income from tourists and those who were engaged in pony or small boats are jobless now. I would like to inform the House about the decisions taken in this regard there.

Tourism, should be declared as an industry and all facilities which are being provided to industries should also be given to tourism. At least the people who are engaged in handicrafts and other works, may get assistance. There was a vacant Hotel which we have handed it over to State Government for starting a training course in catering so that the young Kashmiri people may get employed after completing the course of Hotel Management and Catering. The training period would be 9 months to 1 year and the number of trainees would be 50 to 60.

Accordingly, we are thinking to open the areas of Laddakh, Nubra Valley, Tasomoritica, Drokafa in Kargil for tourists. Laddakh is a nice place. The people could not visit there owing to some restrictions. So long as the situation in valley particularly in Kashmir is tense. We thought to divert the tourist flow to

[Sh. Rajesh Pilot]

that area. We have proposals to provide all facilities to that area. There is also a proposal to set up Karagil airport. It was a long standing demand. This time when I went there, the State Government put up a proposal that total expenditure on this project should be divided between State and Central Government on 50-50 basis. The estimated cost of this project is Rs. 10 crore. We have acceded to their proposal and now an airport will be built at Kargil.

So is the case in the matters of rehabilitation. Tourist related loan was rescheduled for house boats, Transport Service and Pony carriers, and we had tried to reduce the bank interest upto 6 per cent to give them relief.

So far as power is concerned, there is an acute shortage of power. Instructions were given to complete the 25 M.W. ongoing unit of Pampore Gas Turbine by October 1993. Accordingly the construction was going on in Dolahasti project. This is the opinion of foreign experts that after the completion of this project there will be no shortage of power in Jammu-Kashmir. Besides this the state will give power to those states who will be in need of power. The 220 K.W. Udhampur Transport Transmission Line will be completed by December, 1994. There was a shortage of telecom facilities. S.T.D. facility was not available in Srinagar. After my talks held with hon. Communication Minister and the department five thousand lines and Electronic Exchange were sanctioned. STD facilities will be made available in other Districts also particularly in industrial sector. Industries are running at present at one or two places in Jammu where S.T.D. facility will be provided on priority basis. So that it may reach there by the end of September.

The repair work of those bridges which were blown off by terrorists, is going on rapidly. Akhnoor bridge was referred to. I would like to tell you that this bridge will be opened by 16th September. Consignment has already been sent by the Ministry of Railways and construction work is going on expeditiously. A special package has been prepared for roads and bridges. After negotiating with the Ministry of Surface Transport. I have talked with Dr. Manmohan Singh so that maximum funds may be allocated to this scheme. Thus the renovation work of roads and bridges would be

started and the opportunity of employment would be generated. Accordingly it has been decided that the Central Government and the State Government will provide their share of 50%, for Mughal Road Project and it will also help to solve the problem. It was said about rural development that Rs. 16 crore should be deposited in J.R.Y. so that employment opportunities could be generated. At the very moment I told officers that this fund should reach direct to villages and its accountability should be fixed. I prepared a proforma with the help of the officers so that the entire work could be carried out properly. In the same way the work of Operation Black Board was started.

The functions of banking and insurance were resumed. During the last three years some shops were burnt at Seopore and Lal Chowk during the course of cross firing with militants or in other actions. Some goods were burnt and some goods were looted. At the outset, they were refusing to accept the claim. Anyhow, they are ready now to accept it. The Banking Insurance team has been visiting there since 16th and a list of property is being prepared after conducting survey. The object of conducting this survey is not to assess the property belonging to Hindus and Muslims. But it is being conducted to get the claims settled. That team was instructed not to come back until and unless all the claims were settled. Otherwise, the claims will have been pending for two years in completing formalities. In this way, these people will get the benefit of insurance.

A decision was taken by banks in this direction.

[English]

Banks will provide 50 per cent additional working capital limits to SSI units on ad hoc basis.

[Translation]

It was a big problem that the facility of bank limit was not provided for meagre jobs.

[English]

In the same manner, banks will also implement a scheme for rescheduling past loans in respect of these units which are viable. This

would include concessional interest at 6 per cent and moratorium on payment of interest for one year.

[Translation]

They have been asked not to make the payment up to one year and the interest will be charged at the rate of 6 per cent. Thus the viable loans after rescheduling them can be revived. I hope that it will help the young people in getting the opportunity to work in industries.

SHRI MADAN LAL KHURANA: The facilities the Government is mentioning are very good, but I would like to ask whether the Kashmiri migrants who are at present residing in Jammu and Kashmir are also being granted these facilities.

SHRI RAJESH PILOT: I am coming to that point. I am talking about the State Jammu and Kashmir. The viable units there can be revived and they can provide employment. The Government has the intention to provide again the employment to the youth. They should work in industries. The Government has taken measures in this regard.

Similarly—

[English]

The house-boat owners and non-star hotels shall also be eligible for rescheduling the past loans.

[Translation]

Small hotels are lying vacant due to lack of tourists. The amount of loans was increasing. Such borrowers have also been taken under this category and it will prevent the excessive burden on them.

[English]

For enabling disbursement of loans under various banking schemes, a committee of representatives of banks and State Governments shall also be set up and the committee will identify viable loans in all districts and loans shall be disbursed in a time-bound programme.

[Translation]

This was also provided to help the graduates.

[English]

Banks will conduct special recruitment to fill up the vacancies. A senior officer of GIC will be stationed in Srinagar to ensure speedy settlement of claims.

[Translation]

What I mentioned above is related to the claims. The victims of terrorism etc are unable to get the compensation for the damage made by the militants. I came to know that thousands of persons can get employment in Sericulture Institute and it has been stated that the Sericulture Institute will be revived.

[English]

Central Silk Board shall provide a subsidy of Rs. 100 per bag of raw silk and Rs. 50 per bag from the State. I am told that under the National Sericulture Project funded by the World Bank, 2750 hectares of mulberry plantation will be taken up and this will provide employment to 30,000 people in a span of time. This is the real project to give employment because sericulture is very important in Kashmir.

[Translation]

Some rural people met me and they told me that if sericulture was developed, a lot of employment opportunities would be created and the figures presented by them would be of a great help. It was mentioned only because the Government wants to launch the development activities simultaneously so that the attention of the people can be diverted and they may not stick to one point only i.e. law and order problem. Contrary to that they should do their best to bring the militants into the main stream. Last time also, I told in this august House that the common people are very much afraid. On the one hand they are afraid of the militants and on the other hand they are unable to express their opinion because of fear of para military forces. That is why, they need to be encouraged. Those who speak the language of bullets, deserved stern action and the Government has already time and again warned that it would combat the terrorists very harshly. I can

[Sh. Rajesh Pilot]

point out to this august House confidently that our forces have been taking the maximum possible stern action against the terrorists during the last three months. Infiltration has not totally ceased; but it has been controlled to a great extent and the ammunition supply has also been prevented. Our forces have now started getting assistance from the villagers. Therefore, we will entertain the grievances of the common people and will continue to work for redressal of these grievances. This action plan can restore normalcy in Kashmir provided this plan continues. A single incident thwarts all our efforts made in this direction. Shri Khanduri has just mentioned the incident of Kishtwar. A Hindu-Muslim committee has been set up there and they have tackled the situation very shrewdly. The committee are of the opinion that it was the design of the people who wanted to divide the country. It was their plan to term it as communal. They had planned to call 16 persons of a particular community and to kill them. So that in that area of the State, a communal hatred might be created. In the three or four districts like Doda, Kishtwar etc., the Hindus and the Muslims have been living very amicably. Their relations were cordial even at the peak of the militancy. Shri Khanduri has stated that the enquiry is not visually held but death incidents do occur. When Shri Bhandari was shot at, I went there. The magisterial enquiry was ordered and there is some progress in the enquiry. So far as the death of a child is concerned, a magisterial enquiry has also been ordered. The magisterial enquiry was held on the police firing too.

MAJ GEN. (RETD). BHUWAN CHANDRA KHANDURI: (Garhwal).....(Interruptions)..... I had stated that nothing of this sort had taken place and the people belonging to other community were badly beaten and I had talked with the District Commissioner regarding the death of the child but no order for inquiry could be issued up to the 21st.

SHRI RAJESH PILOT: I would look into it personally. Lastly I would like to state that the situation in Kashmir is not normal. We are passing through a very crucial stage. Sometimes the situation there gives good hopes and in the circumstances, we make some further plans enthusiastically but sometimes abrupt incidents give setback to our hopes. But we have not lost our heart on account of these

incidents; because the militants want only this much that the Government, para-military and the civilians lose their heart and they may succeed in their mission. Therefore, we need not be worried. Panic will not serve the purpose. We have to fight against them strongly. We have to fight against the ideology they are propagating. I have gone there many times in four or five months and I have witnessed changes in their psyche. They are eager to have a talk. They themselves ask as to why dialogue is not held with them and they say that they are also prepared to hold dialogues. But if on the one hand they threaten of guns and on the other hand they exhort ideology, the Government is prepared to talk with anybody who wants the welfare of the people of Kashmir. This has been our policy from the very outset.

SHRI RAJVEER SINGH (Aonla): Bus passengers have been massacred there. What arrangements have been made in J&K to prevent such incidents in future?

SHRI RAJESH PILOT: Security Guards have been deputed in the buses. Earlier there were check posts on the roads at every ten kilometres. We are also examining the situation as to why there had been no checkpoint at that time. Now we are making arrangements to depute security guards in buses. It is only out of compulsion that we resort to impose President's rule in Jammu and Kashmir. The Government actually does not intend to impose President's Rule there.

SHRI RAM KRIPAL YADAV (Patna): The Government is dealing with it strictly through the administration, but what is it doing to bring about conducive social atmosphere as has been suggested by Fatmiji that a delegation of some intellectuals should go there.

SHRI RAJESH PILOT: I forgot to mention it. Two months earlier we had set up a small group. This group included the persons like Sardar Swarna Singh, Field Marshal Manekshaw, Smt. N. Kaul, Shri M.K. Narayanan, Shri Arjun Singh etc. and all these persons had been somehow associated with Kashmir. Meetings have also been held with them and we together are going to Kashmir in September; we shall stay there for three or four days. The organisations which are willing to visit there as social workers and hold talk with the people

there, are not prevented. We are ready to assist them. The arrangements for their journey, food and security will be made by the Government. The more they interact, the more the problem will be solved. The problem cannot be solved with the close door policy. The Government is well aware of it.

We are introducing this proposal under compulsion. We want that no part of the country should be deprived of election. But there is no proper time for holding election there. The situation in Kashmir does not permit us to hold elections there. But efforts are being made in this regard. Ours is a democratic country. Therefore, in order to strengthen democracy it is essential to hold elections in every part of the country. This is our policy and it is a great key to our success.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI: What is the plan for the ex-servicemen there?

The District Commissioner had stated that he had sent a package to the Governor mentioning about the mode of assistance which the administration wants. Please throw some light on the package. Physically work is not being done on the Dul Hasti project. I therefore, want that the work should be started on it.

SHRI MADAN LAL KHURANA: I have asked whether the Government is going to have any package deal for Kashmir; migrants and whether it is likely to be announced; but it has not been mentioned.

SHRI VISHWANATH SHASTRI (Gazipur): The Government has stated nothing about Gram Panchayats.

SHRI RAJESH PILOT: Madam, two things have been stated. Shri Khanduri has mentioned about the ex-servicemen. In this regard, I would like to state that we want that the services of ex-servicemen should be utilised. I had stated last time that they should be issued licences on priority basis.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI: The Government has stated that licences are likely to be issued and on the other hand they state that they have not received any orders like this. I would give you the report.

SHRI RAJESH PILOT: Just now a reference of AK-47 rifles was made. These rifles are thousands in number which are confiscated from militants. Such AK-47 rifles have been supplied to all the States. For example, Tamilnadu had demanded 500 AK-47 rifles. Its demand was met; but the token price of the rifles was fixed at Rs. 3000 per rifle. In order to prevent them from rusting, it has been supplied to the police force. Its total number was 12,000 and all of them have been allocated. So far as the supply of buses is concerned, I assure you that I would look into it personally. Shri Bhogendra Jha has stated about the Panchayat Rule but I would like to state that at present it is very difficult to forecast as to when the elections of Panchayat will be held. But we are under pressure to maintain the status quo situation. The militants should be subdued and the problems of the rank and file should be removed so that an atmosphere may be created and a confidence may be created among the people so that they may live with love. So far as the issue of migrants is concerned, I would like to go there. I have received their complaints.

SHRI MADAN LAL KHURANA: But I would like to state that you have gone there so many time but what achievement you have made through your visit. I am not opposing the measures taken to tackle the problems of the Kashmiris. But you want to go there now; this testifies as to how careless you are regarding the Kashmiri migrants.

SHRI RAJESH PILOT: The migrants have been provided with some concessions, facilities etc. Perhaps I may not be able to give you the details of it at present as to what facilities are made available to them. They get assistance from Banks at concessional rate of interest. They may get loan at Delhi against their property in Kashmir. But they have problems, and there are no two opinions in it. They have lodging problems also.

SHRI MADAN LAL KHURANA: You must be knowing that they are leading a dog's life.

SHRI RAJESH PILOT: I admit it and while replying to a question 3 days earlier I myself had stated that they were living in their decent houses in Kashmir.

**SHRI MADAN LAL KHURANA:** But on the one hand you say that you will provide every facility, on the other hand you say that you will visit there. I cannot understand it.

**SHRI RAJESH PILOT:** I did not say so.

**SHRI MADAN LAL KHURANA:** Just now you stated that you would visit there in the month of September.

**SHRI RAJESH PILOT:** Shri Khurana, please do not play the politics of Delhi. I told that I would visit there in the month of September. Let me put the records. I have stated that once I had gone there but I would not be able to tell you as to what I had discussed there. They have asked for the enhancement in the allowance of migrants, because they get Rs. 1000/- only at present and they get ration free of cost. They stated that they had been getting that amount or ration for the last four years and so, it should be enhanced. We are preparing proposals after consulting the State Government. I have told that I would sit along with them and discuss their problems patiently and would try my best to resolve their problems. Actually there are so many difficulties in it and it is not such an easy task as can be performed within a couple of days, so it would require some time for the Government to solve these problems.

With these words I express my thanks for all of my colleagues for their suggestions and feelings and I hope that this resolution will be passed and we will pray to God that there should be no need to bring such Bill in future and the situation in Kashmir becomes normal.

[English]

**SHRI JAGMEET SINGH BRAR** (Faridkot): Madam, I just wanted a small clarification from the hon. Minister. We are very much convinced about the policy on Kashmir and we are proud of the dedication and commitment of our hon. Minister. I just want to know that since the last two days, there have been news items that the Director-General of Police, Punjab, Mr. K.P.S. Gill is being sent to Jammu and Kashmir to contain terrorism in that disturbed State.

As you know, Punjab has suffered for the last twelve years and this is a very sensitive matter that at this junction and at this point of time, the Director-General of Police, Mr. K.P.S. Gill is withdrawn from Punjab and he is sent to Jammu and Kashmir.

I want to know from the hon. Minister, is this merely a news item—it had appeared in all the national newspapers—or whether it had appeared under the name of Mr. Rajesh Pilot that he is considering to send Mr. K.P.S. Gill, a very competent police officer, to Jammu and Kashmir.

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS** (SHRI RAJESH PILOT): Madam, as far as I am concerned, it is a news-item. I had just read the report.

**PROF. PREM DHUMAL:** You did not look at it, you had just read it!

**SHRI RAJESH PILOT:** Let me tell you how this report had come. Nearly three months back, Mr. Gill was called on me. He was showing his interest on Kashmir. He said that wherever his services could be used he is always ready. Because, this is a challenging job. I must appreciate the offer of the Director-General of Police, Punjab. So, he said that it is a challenging job and he made an offer by saying that if anything he can do to help it out, his services are available, though he is retiring in September. But at no stage, the interest of Punjab or the success which we have achieved will be compromised. It is because we have brought peace and we cannot disturb Punjab and take a decision which would disturb peace in Punjab.

**SHRI INDRAJIT GUPTA** (Midnapore): We all appreciate the work done by Mr. K.P.S. Gill in Punjab, but Kashmir and Punjab are not same.

Secondly, I do not think 100 K.P.S. Gills will be effective unless the security forces are able to function in an environment where the local population is not hostile to them. Nowhere in the world have security forces been able to be effective when they function in the midst of a hostile population.

Merely harsh measures will not serve the purpose. Stern measures must be taken against the terrorists and militants. But unless the local population is won over, nothing substantial can be achieved.

[English]

I hope you will send some priorities that will be correct.

SHRI RAJESH PILOT: Madam, we are aware of that.

MR. CHAIRMAN: I shall now put the Statutory Resolution moved by Shri Rajesh Pilot on the 26th August, 1993 to the vote of the House. The question is:

"That this House approves the continuance in force of the Proclamation dated the 18th July, 1990 in respect of Jammu and Kashmir, issued under article 356 of the Constitution by the President, for a further period of six months with effect from the 3rd September, 1993 be adopted."

*The motion was adopted.*

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15.54 hrs.

[English]

#### RESOLUTION RE: RAJASTHAN STATE ELECTRICITY BOARD

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI P.V. RANGAYYA NAIDU): On behalf of Shri N.K.P. Salve, I beg to move the following Resolution:—

"That this House, in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 read with clause (b) of the Proclamation issued on the 15th December, 1992 by the President under article 356 of the Constitution with respect to the State of Rajasthan, accords approval for fixing the sum of one thousand six hundred crores of rupees as the maximum amount which the Rajasthan State Electricity Board may at any

time have on loan under sub-section (1) of the said section 65."

MR. CHAIRMAN: Resolution moved:—

"That this House, in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 read with clause (b) of the Proclamation issued on the 15th December, 1992 by the President under article 356 of the Constitution with respect to the State of Rajasthan, accords approval for fixing the sum of one thousand six hundred crores of rupees as the maximum amount which the Rajasthan State Electricity Board may at any time have on loan under sub-section (1) of the said section 65."

MR. CHAIRMAN: Shri Girdhari Lal Bhargava.

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Chairman, Sir, with respect to proposal for increasing funds for Rajasthan State Electricity Board, I would like to submit that Rajasthan is a desert area which gets only one percent of the total water available in the country. It is the 2nd largest State in terms of population in the country. Today silting has taken place on a large scale in Gang Canal. Today Rajasthan is not getting its full share of power being generated in the country. All the proposals relating to share of Rajasthan in Yamuna water, Ganga water, Tehri Dam, entrusting work to Bhakhara Beas Management, Ropar, Harikesh or Ferozpur control, Chambal Project, Narmada project and providing additional funds for the completion of work of the Indira Gandhi Canal are lying pending with the Central Government.

Many a Chief-Minister came to power in Rajasthan and made efforts in their own way. The former Chief Minister, Shri Bhairon Singh Shekhawat did his best, but it did not put any impact on the Government of India.

Today, the entire Rajasthan is experiencing drought. There was no rain. All the crops have ruined. There is scarcity of drinking water in villages. There is no water for cattle in the villages. I think never before this such a

[Sh. Girdhari Lal Bhargava]

drought had ever occurred in Rajasthan. If such a situation arises we will be forced to send our livestock to other States. Rajasthan is going to face the most severe drought situation.

Eleven districts of Rajasthan fall under desert area. I would like to highlight some of the points in the interest of my State. I hope you would sympathetically consider them and take a decision accordingly. Undoubtedly, energy sources are very less in the State. So we have to get electricity from joint projects of Punjab and Haryana i.e. Bhakra Beas power project. Our State will have to take power supply from first unit of Chambal and Satpura Tapti power projects. In addition to it we get power supply from the Centre. The State has to depend on Rajasthan Atomic Power Plant, Singrauli, Rihand, Anta, Auraiya and NHPC. There are only two NTPC power projects of 100 megawatt capacity in Kota in the State. And there are two other units of 2×10 megawatt in Kota. All this illustrates that there is scarcity of power projects and so the State has to depend on other States. That is why there is a big difference between demand and supply of power in Rajasthan. Forty five percent power has to be spent in industries and twenty percent on agriculture. My submission is that keeping in view the demand it is very essential to supply power to this State. In 1994-95 the power shortage would go up in industrial areas upto 41.21% and agricultural areas to 35.42%. My submission is that our State should get proper supply from the Central Electricity Projects. Besides, on the basis of Agreement on water, the State should get power supply from Satluj, Ravi and Beas rivers. In addition, it should get 52.6% water from their Dam, 20% from Anandpur-Sahib hydro electric project, 58.5% from Mukerian hydro-electric project, 45% from third stage of UPDC and 94% from Shahpur, Kandi hydro-electric project. The Central Government should say that the State should get supply from these projects. When we held talks with Punjab and Haryana, the Governor of Punjab the Chief Ministers of Haryana and Rajasthan were present. Our submission was that for agreement we should move to Supreme

16.00 hrs.

Court. The verdict of the Supreme Court would be acceptable to Rajasthan as well. Punjab has started work on all the three projects

and also on its utilisation, Rajasthan is not getting even a single megawatt of electricity. My submission is that if the Central Government finds itself incapable of taking any decision, it should refer it to the Supreme Court and until the time Supreme Court gives its verdict, Rajasthan should get its share from the Central projects.

Secondly several State projects are lying pending for approval with the Central Government. For example Dholpur Thermal Project which is an important project and would provide us 3×210 megawatt of electricity is one of them. Now the Centre side-tracking it in the name of protection of Tajmahal. The project is likely to be disapproved on this ground. Since this is an important project, I would like the Government to clear it. Similarly the Suratgarh Thermal Power Plant would provide 2×210 megawatt of electricity but even this project is not being implemented, although the Central Electricity Authority has accorded its approval to it. Lack of supply of coal at cheap rates is also one of the factors for the Suratgarh Thermal Power Plant project lying pending with the Government. Not only, this several other projects are lying pending with the Central Government. The Anta Thermal Project is lying pending for approval with the Central Government for cost evaluation. Anta thermal project with a capacity of 423 megawatt is also lying pending with the Central Government and the share of electricity to the State in the Central projects has also not been decided. There is wide difference on the question of demand and supply in the electricity projects. No decision has yet been taken in this regard.

Mr. Chairman, Sir, fifteen percent of electricity was being supplied to Rajasthan from Singrauli. Now the share has been reduced to 9.5%. The reason for this is not known. After all there is a great difference between 15% and 9.5%. Similarly Solar power plant of 30 megawatt capacity was to be set up in Jodhpur by the Central Government. But it has not been done. Similarly in another Dam project we had reached an agreement with Haryana in which we had to spend seventy percent of the expenditure and get 63% of the total generation. But Haryana has overlocked our State and started work on the project while in the agreement it was mentioned that such conditions may be prescribed. I would like to know, Mr. Minister, as to what are those conditions. Does this mean that by increasing the



amount, they need money to make payment of salaries alone? Many projects viz three units of 250 megawatt capacity in Suratgarh are lying pending. The lignite project at Jodhpur is also lying pending. It has been decided to hand it over to the private sector for want of funds. The project is lying pending for the last six years. We would have to complete both these projects. Therefore, the Government should put a restriction that eighty percent of the total allocation would be spent by the Board on the project construction and twenty percent on salaries to employees.

Mr. Chairman, Sir, I would like to submit that the Government should give clearance to all the projects of Rajasthan and till all the disputes regarding Rajasthan are decided by Supreme Court, power supply to Rajasthan should continue. Today there is great shortage of electricity in Rajasthan. There is drought in the State. People are not getting electricity. Small scale industries are not prospering. Therefore, I demand that the transmitting charges should be reduced. Theft of electricity should be checked. Electricity should be supplied to farmers and other small scale industries on priority basis. Power cut should be checked in Rajasthan. Mr. Chairman, Sir, I hope the Government would give clearance to all the projects of Rajasthan. If the Government does not take such steps the people would launch agitation. The Government should not be rest assured under President Rule. Please let us know how long the President Rule would continue.

Elections would take place in the month of November and it is certain that BJP would form the Government. Nobody can stop that. Then we would start a strong agitation on people's support. It will be better if the Government gives clearance to all the projects of Rajasthan gracefully. The Government should do justice to the State. It should check power cuts so that the money is properly utilised. Increasing funds would not serve any purpose. The hon. Minister patiently heard my speech. I hope that he would make some announcement keeping the interests of Rajasthan in mind.

PROF. RASA SINGH RAWAT (Ajmer): Mr. Chairman, Sir, the hon. Minister has presented the statutory resolution of Rajasthan Electricity Board which seeks to raise the amount of loan from Rs. 1000 crore to Rs. 1600 crore. I would

like to submit that this is an injustice to Rajasthan. It seems that the Central authorities at Delhi have considered Rajasthan as their colony. As a result the Central Government has not approved the justified demands of the State. I am talking about electricity, be it setting up of Thermal Power Projects or due share of Rajasthan in hydro-electric projects of the neighbouring States, or construction of dam in the Central establishment or Himachal Pradesh. I would like to submit that the State is experiencing drought and there is shortage of power supply for the pumpsets. There is shortage of power for the expansion of small scale industries.

One more thing happened in the meanwhile, the Centre stated that all the electricity boards are running in loss. At that time the BJP Government was in power in Rajasthan. It took up the matter with the Government and reduced the rate of power-unit. Centre supplied power at the rate of 1.50 per unit and power was supplied to the farmers at the rate of Rs. 0.45 per unit in Rajasthan. When the Centre asked for increase in the rate, our State Government raised the rate by 5-10 paise per unit. But consequently the Congress people made a propaganda that by increasing the rate we are committing atrocities on farmers. How would double talk go on. On the one hand the Minister of Energy and Power Authorities give orders to the State Electricity Board increase the rate of power and decrease the loss. How long the Centre would supply it. If the State Governments work towards fulfilling Central directives they make wrong propaganda against the Governments in power.

As my hon. friend said just now that there has been not a single drop of rain during the last one and a half months and the State is going to face severe drought. Earlier there was good rainfall.

[English]

Indian agriculture is a gamble of monsoon.

[Translation]

Today the period without rainfall has been so long that the whole crop have started drying up. If the wells could be supplied power,

[Prof. Rasa Singh Rawat]

something could be done. For hours there is no supply of electricity while there is no shortage of supply of electricity in the houses of Ministers. Supply of electricity is done to farmers in the night. When all fall asleep they are forced to work. So the Centre should stop this injustice to Rajasthan and supply its due share.

I would not like to repeat the points that my hon. friend made. I would only like to State that this is a very serious matter and the future of crores of people have been linked to it. This is a matter of electricity. The Government knows very well that nothing can be done without electricity. Nowadays no work can be done without the help of electricity. In Rajasthan 45% of electricity is used on industries and only thirty percent is used in agricultural work. The Government says that agricultural work should be increased. Today lakhs of farmers are waiting for getting electricity connections. People who had submitted their applications in 1984 and 1985 are now getting electricity connections. You can well imagine how much the Government is concerned for the farmers.

Mr. Chairman, Sir, you have a sympathetic outlook for the farmers. Therefore, through you, I would like to submit to the Government that it should do justice to Rajasthan in the matter of power. The State should get its due share. Rajasthan should be given its full share from the Bhakra Nangal Dam. It should get power from the projects of Punjab, Haryana, Himachal Pradesh, Madhya Pradesh and Narmada Sagar. It had been decided that the matter should be referred to the Supreme Court. The Government of India has not been able to get the decision of the Supreme Court. How long Rajasthan will continue to beg. The State does not want to continue begging. We want to live a life with self-respect. We want to get our rights through struggle. But I am sorry to state the plight of the State. The Governors are Congress-Governors. They take their decisions by following the policies of the Congress party. The Governors are changed continuously like playing cards. Three Governors have been changed in a single year. Before whom should we seek justice? First Governor was appointed, then the second was and then the third one was appointed. Even then nobody is paying attention to our plight. Before the hon. Minister presents his statutory

resolution, I would like to submit him that he should take steps to wipeout corruption. He should pay special attention towards the expenditure on administration and staff. He should check theft of electricity. He should try to put a check on the misuse of power with the help of officers and supply electricity to farmers and small scale industries on priority basis. Rajasthan Electricity Board has already incurred a loss of Rs. 700 crore. Now the Government is extending the time limit of drawing loans. This would amount to more loss. Therefore, I request that power should be supplied in required quantity and on time. All our projects which are lying pending for protection of environment and forests should be accorded approval. Environment and Forests should be protected. But how can you justify not issuing licences to Thermal Power Projects in their name? I would request you to give clearance to Dholpur Thermal Power Project, Pumping set project and Ramgarh power project and other projects.

SHRI MOHAN SINGH (Deoria): Mr. Chairman, Sir, the Governor of Rajasthan has increased the borrowing limit of the Rajasthan Electricity Board to Rs. 1600 crore through an ordinance. I would like to submit that the installed capacity of power generation of different power projects belonging to different State Electricity Boards is awfully less than the requirement, it is almost one third. The Rajasthan Electricity Board is also no exception to it. Power plants are being set up. Transmission loss of electricity boards is to the tune of 20 to 27 percent. The borrowing limit of electricity boards is being increased, but no thought is being given as to how the loans will be paid back. It should be given sympathetic consideration. The problems of electricity, irrigation and potable water are inter linked with regular famine and drought situation. I think, if the power problem being faced by those places is not solved, the problem of famine and drought hitting those areas every year cannot be encountered.

What is required in this country is to set up small power plants, as also to set up hydropower projects and atomic power projects. If the Government of Rajasthan thinks in this regard and considers the power problem being faced by the common people, I believe that the ordinance increasing the loan taking limit may prove useful and justified, otherwise

merely increasing the borrowing limit of electricity boards will not solve the power problem. The Government will have to resort to some alternative measure.

With these suggestions, I conclude.

[English]

SHRI P. V. RANGAYYA NAIDU: Mr. Deputy Chairman, Sir, I am grateful to the hon. Members for giving their suggestions. The power scenario in Rajasthan is quite satisfactory. It has an installed capacity of 1,731 M.W. comprising of 966 M.W. hydro and 765 M.W. thermal power. Rajasthan has also got an atomic power station with an installed capacity of 400 M.W. which is in the Central sector.

Our friends were saying that Rajasthan is not getting their share of the Central power. I can assure them that Rajasthan is getting the due share from the Central projects located in Rajasthan as well as in the Northern region as per the formula which is accepted by all States and which is strictly followed. In fact, as a special case, the entire power generated in the atomic power plant at Kota is allotted to Rajasthan making an exception to the rule. So, Rajasthan is not being discriminated and on the other hand it has been favoured.

This enhancement of loan is being sought mainly to improve the power generation and transmission system in Rajasthan. As you know, unless we improve the distribution system, the power generated will not reach the far-off areas. Specially in Rajasthan the generating projects are located far away and in fact in some locations they are at a distance of 600 kilometres from the actual place of usage. The T&D losses in Rajasthan are also quite high. The only solution is to improve the transmission system by investing some more money coupled with the funds that may be available from the Rural Electrification Corporation as well as the Power Finance Corporation.

During the Eighth Plan also there is a proposal to add five units of thermal generation stations at Kota of 210 M.W. each and two generation stations at Suratgarh of 250 M.W. each. There are also plans to have one generation station of 500 M.W. at Chittorgarh and one of 160 M.W. at Ramgarh. We have taken an

undertaking from the Rajasthan Electricity Board that this amount will be spent only for meeting the capital outlay as per plan for improving generation, reduction of cable losses, improving revenue realisation, reduction in the cost of supply and that the loans are not to be utilised by the State Electricity Board to discharge its current liabilities.

I can assure the hon. Members that the additional loan sought for will probably be utilised to improve the generation as well as the distribution system in Rajasthan.

Therefore, I request the hon. House to approve this proposal.

[Translation]

SHRI GIRDHARI LAL BHARGAVA: Mr. Chairman, Sir, all his statements that the Government will sympathetically consider this and that are empty assurances which we have been listening for so many years. This will not do any good to any body. I would like to submit one thing to you.

"Yachana Nahi Ab Rann Hoga, Sangram Bari Bhishan Hoga". Now instead of begging we will resort to a better fight. The Government may take note of it. This is the last warning. The Government should either do something for Rajasthan otherwise our party will come to power there and expose the Government who just believes in giving false assurances.

PROF. RASA SINGH RAWAT (Ajmer): Mr. Chairman, Sir, I was submitting.....

[English]

MR. CHAIRMAN: You have already spoken. You cannot speak again. Please take your seat.

The question is:

"That this House, in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 read with clause (b) of the Proclamation issued on the 15th December, 1992 by the President under article 356 of the Constitution with respect to the State of Rajasthan, accords approval for fixing the sum of one thousand six hundred crores of rupees as the maximum amount which the Rajasthan State Electricity Board may at any time have on loan under sub-section (1) of the said section 65."

*The motion was adopted.*

MR. CHAIRMAN: Now, we take up the Extradition (Amendment) Bill.

# EXTRADITION (AMENDMENT) BILL

*As Passed By Rajya Sabha*

16.21 hrs.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI R. L. BHATIA): Mr. Chairman, Sir, I beg to move:

"That the Bill further to amend the Extradition Act, 1962, as passed by Rajya Sabha, be taken into consideration."

The law of extradition of India is contained in the Extradition Act, 1962. This provides the necessary legal framework to conclude treaties or arrangements with Commonwealth countries and other foreign States and to process requests for extradition from States with which we have such treaties or arrangements at present.

Over the years, given the concern we and the international community have to deal with terrorism and other international crimes like hijacking, hostage-taking, offences against protected persons, illicit trafficking in narcotic drugs and the growing number of international and regional Conventions, the law and practice concerning extradition is steadily changing. India is a party to several of these international Conventions, and has also concluded recently a new extradition treaty with UK. We also contemplate concluding treaties in future with other countries, some of which may have legal systems different from ours. For example, as hon. Members are aware, we adopt the Common Law approach similar to UK, USA and other Commonwealth States. States like France, Germany and others adopt a Civil Law approach.

The Amendments proposed to the Extradition Act, which I am urging this hon. House at this time to consider and pass, are aimed at enlarging the legislative basis and framework of our extradition law to enable us fully and effectively implement the treaties we concluded recently and may conclude in future even with countries adopting different legal systems. These amendments would also enable

us to implement obligations we undertake as a party to international and regional Conventions.

I beg your leave now to formally move that this hon. House consider and pass the Extradition (Amendment) Bill, 1993 in its present form.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Extradition Act, 1962, as passed by Rajya Sabha, be taken into consideration."

[Translation]

SHRI RAJVEER SINGH (Aonla): Mr. Chairman, Sir, with your permission I would like to say something in regard to this Amendment Bill. Though, I support it, nevertheless, I have some doubts in this record I would like the hon. Minister to clarify.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. M. SAYEED): You may ask questions, your doubts will be clarified.

SHRI RAJVEER SINGH: I'll put my doubts in the form of questions, I may not get the reply.

SHRI R. L. BHATIA: You please put questions and do not deliver a lecture.

SHRI RAJVEER SINGH: Mr. Chairman, Sir, terrorism acquired momentum in India since 1980. If you go a little back to 1980 when there was the Government of the Janata Party, the first incident of hijacking a plane had occurred during this period. Your party honoured that hijacker by helping him in becoming an M.L.A. in 1980. So, since 1980, the people develop the feeling that involvement in terrorist activities may earn honour subsequently, there was a rapid increase in terrorist activities in the country so much, so that the country was plunged in to deep crises. Now, in 1993, in 13 years terrorism has reached to its peak. The Government has not been able to bring the terrorists back even from those countries with which our country is on good terms and where the terrorists fled during those 13 years of terrorism. Our country may sign agreements with a few more countries, but the countries

with which we have already friendly relationship, even from there our Government has not been able to bring the terrorists back. In Bofors Case, the Government allowed economic offenders to flee from the country. Everybody said that Vin Chadha was the main accused, but he left the country and the Government could not bring him back. During the current session itself, a comprehensive report was introduced last time and a suspicion was expressed that Mr. Quattorochi might flee from here. An assurance in this regard was sought from the Government, but Koutrochi fled throwing a challenge, but the Government remained a mute spectator. Leave aside the matter of bringing them back, this Government is not able to put even a check on those who are living in the country. The Government may enact laws, we are here to support the Government, but the point is that laws should also be implemented. If you cannot use your powers, then of what use are those powers. The Government may get the laws passed, but those laws should also be effectively implemented in the interest of the country.

Our country has friendly relationship with Srilanka, but our Government could not bring Prabhakaran who hatched the conspiracy of Rajiv Gandhi's assassination and who is living in Srilanka. The Government lacks will power. It cannot do anything beyond political calculations for counting votes.

Dawood Ebrahim fled to United Arab Emirates. He is now residing in Dubai; the Government could not bring him back. This is heard that he is running a company here and he is also having trade with India under different names. The Government could not bring him back even though our country has a friendly relation with that country. Menon brothers who were responsible for the bomb-blasts in Bombay fled; the Government could not prevent them from going out of the country. The Government delayed in passing information in this regard to friendly countries which provided an opportunity to the offenders to escape from those countries also. What I mean to say is that enacting laws is of no avail unless there is a will power to implement those laws. The Government should try to bring back the offenders at least from those countries with whom our country is on friendly terms.

As a matter of fact, the Ministry of External Affairs has been unlucky in the sense that the

earlier Minister of this ministry had to quit because of delivering a letter. Subsequently, this ministry was under the control of the hon. Prime Minister for months together. The next Minister of External Affairs fell ill soon after assuming the office. It is heard that he is in London in connection with his treatment. I wish he may get well soon and assume the work as soon as he comes back. We are glad that Bhatiaji has been given the charge of State Minister in the Ministry of External Affairs. We hoped, he would do something, but he does not care to give a reply to letters sent to him. A foreign delegation had come to India before whom he praised a particular person so highly that it earned a bad name for India. He said that the great Babar was our friend who came to India. He sang the glory of Babar so much that we were wonder-struck. He further said that cultural progress of India might be attributed to Babar. I had enclosed the cutting of his speech in the letter written to the hon. Prime Minister. He should have at least taken the trouble to give a reply, we want to lend all our support for the cause of implementing the rules; this is because the Government is not in a position to bring back the offenders. Many new amendments to this effect have been added to it. Antiques including idols are being stolen and are being smuggled to foreign countries, but not a single word in that regard has been written. No reference has been made as to how those offenders would be brought back to this country. What I mean to say is that the Government should exercise its powers. It is not doing that. Everyday fresh amendments are being made, but crime remains unabated. Murderers, other offences and thefts are taking place and criminals are taking to their heels just because of the inaction of the Government. We are here to support the Government but the point is how soon the Government is able to bring all those offenders back to the country. This will send a signal that fleeing to foreign countries after committing crimes, the criminal cannot escape punishment. Economic and social offenders who are responsible for disturbing the peace of this country are enjoying in foreign countries.

Thousands of kilograms of R.D.X. have been seized here. What action the Government is contemplating against the drug-smugglers? Huge amount of money is flowing out abroad, and narcotic drugs are flowing in

[Sh. Rajveer Singh]

the country. This is causing damage to the future of our youth and to the character of the country. The Government should be resolute to check those things. You should touch those points in course of your reply.

[English]

DR. SUDHIR RAY (Burdwan) : Mr. Chairman, Sir, I rise to support this Bill. Certain amendments have been brought forward to do away with the lacunae in the old law passed in 1962. The world we live in is becoming smaller and smaller because of the scientific discoveries, the revolutionary changes in communication and technology. We have become interdependent. Naturally, it is found that often criminals commit crimes in one country and then they slip abroad so that they may avoid the long-arm of the law so that they may avoid justice. Therefore, now the Extradition Laws should be ratified with many more countries so that we may build up a peaceful atmosphere in this world.

Sir, there are countries which do not like that India should remain united. Balkanisation of the country is their dream. Therefore, certain divisive forces are raising their heads in all parts of the country. Our neighbours are actively aiding and abetting in this low-proxy war. They are sending terrorists. They are sending militants. The USA, the U.K., Canada have become the safe heavens for these terrorists. It is true that many of our leaders, the great national leaders were terrorists but they were anti-imperialists to the core.

Their stories have become part and parcel of the annals of our freedom struggle. But what about their stories? They are at the beck and call of imperialists. They are at the beck and call of Pakistan. They commit crime; they murder innocent people, they extort money. In this way, they are trying to injure our social fabric. Therefore, as my predecessor has pointed out, India has no political will to implement it. As Mr. Gunnar Myrdal has rightly said, India is a country which has got the soft culture. Therefore, we cannot strongly deal with the culprits. That is why, economic offenders like Mr. Win Chadha or Mr. Quattorochi have left the country. They got certificate from the CBI saying that they have not committed any offence. Therefore, what is required is a strong political will.

Now because India is a contiguous country to the Golden Crescent and Golden Triangle, India has become conduit country to narcotic drugs and psychotropic substances. Therefore, we find that in India millions of people are becoming drug addicts. ISI of Pakistan alone earns 13 billion dollars by selling narcotic drugs and they spend it on low proxy wars in India. Therefore, we should deal strongly with this drug traffickers so that they may be resisted, they may be put down.

Also in the name of religious fundamentalism, some people are committing crimes. We know how Memon brothers escaped to gulf countries after engineering the Bombay blast, as a result of the blast, hundreds of people were killed and high-rise buildings were razed to the ground. After they flew abroad, then suddenly, the Government of India became alive to the situation and then they sent a request to the UAE authorities saying that Memon brothers be sent back. It is another incident of soft culture. There are so many laws. But our administration will not try to implement these laws. I have already said about the economic offenders. These economic offenders, because of the criminalisation of our politics, are now at the top of the society. They merrily violate all rules and regulations. They amass huge properties abroad. They come in and go out of the country. What about Mr. Win Chadha? What about Hindujas? What about Mr. Quattorochi? They are going unpunished. Therefore, we demand that the Government of India should try to pass extradition laws with as many countries as possible. We find that Bangladesh and Pakistan have not ratified the extradition treaty. Without ratification, extradition treaty is not at all valid. Therefore, we should try to see that our neighbours ratify this extradition treaty as early, as possible.

With this, I conclude my speech.

[Translation]

SHIRI MOHAN SINGH (Deoria) : Mr. Chairman, Sir, I rise to support the Amendment Bill in regard to Extradition Act on behalf of our party. When liberalisation policy is being widely implemented within our country and in other countries, there is also rapid and equal increase in the incidents of interference by all countries in the internal affairs of other countries. A progressive and advancing country like

India has to face this perpetually. The hon. Prime Minister and the Minister of External Affairs of India had gone to Britain and signed an agreement with premier of Britain. The British Parliament brought about amendments in the laws of the country, and the Government of India is also going to amend its existing laws. Such agreements should soon be signed with those countries where divisive forces are operating and are trying to establish their order. I would like to submit to the hon. Minister earnestly that the demand for creating a separate Khalistan might seem to have been settled and peace restored in Punjab, but a full-fledged office is still operating in Washington. People there take me to be a Sardar going by my name. There is a confusion among them, that is why I regularly receive letters from Washington in the name of independent Khalistan. Notifications and circulars do also come from there. Such cases are taking place since 1984. Powerful countries of the world are trying to disintegrate India, but the Government has not been able to check this trend.

I had gone to Washington in 1984. That was the time when terrorism was rampant in Punjab. The agitation over there got encouragement through the interviews of the leaders broadcast on radio, television specially from voice of America and B.B.C. People of Punjab used to listen them. That obviously lent encouragement to the terrorist activities in Punjab. I met the senior leaders in Washington and interviewed them and I also brought the tape-record thereof to India. At that time, the said interview was published in the journal 'Maya'. They clearly stated how they fled to Washington and how they got state protection there when the Government of India issued warrant against them through the Ministry of Home Affairs. The present situation is even more grave. There have been a series of bomb blast in different parts of India. The Government has neither been able to arrest the offenders nor has it been able to bring them back to India from foreign countries. This is how efforts are being made to disintegrate India.

A large scale trade of drugs, opium and intoxicating substances specially in neighbouring countries and also all over the world is a common feature. The top leaders and bureaucrats of those countries are deeply engaged in such activities and that is a big source of their income. People are active on a large scale on

our border areas, therefore it is very easy to carry on this trade with their help. I had raised a question only yesterday and the hon. Minister of External Affairs did also make a reply telling that all sort of smuggling materials were found kept in the plane through which the hon. Prime Minister had to go on a foreign visit. After thorough search 50 kg silver, 30-32 kg gold, opium and other such things were found. This is an eye opener for us when such intoxicating substances and smuggling materials are seized from a plane through which the top leader of the country was scheduled to make a foreign visit. Even the plane of the Prime Minister is not spared from being used for carrying smuggling materials. What is required is to enact a strict law in this regard. The mutual agreements among our neighbouring countries are against the interest of India, that is why there is no reaction from Indian side. China is lending support to Pakistan and providing arms to that country which Pakistan may use for attacking the cities of our country. But, the Government of India expressed no reaction. A powerful country may consider imposition of a ban on those two countries. I would like to submit that the Government of India is now adopting a weak foreign policy which I can say on the basis of many examples cited here.

Dalai Lama recently visited this city. Many splendid programmes were held on the eve of his arrival here; but on the instruction of the Government, the radio and television could not dare broadcast the news of his programme. This was done out of a fear of a particular country. I would therefore like to submit to the hon. Minister of External Affairs that merely enacting of extradition laws would not help bringing back the offenders who after committing offences flee to foreign countries. This can be made possible only when our country itself is made stronger and when we gather courage to show boldness to any strong neighbouring country and when we stop getting panicky. Thinking that mere passing laws through Parliament will check the offences being committed in the country on the instigation of foreign countries is a mere fallacy. I do support this Bill, nevertheless I would suggest that the Government should be bold enough in matters of the dignity and prestige of the country. We should banish the fear gripping our mind. With such a hope, I support this Bill and conclude.

**SHRI VISHWANATH SHASTRI** (Gazipur): Hon'ble Chairman, Sir, I support this Extradition (Amendment) Bill. This Bill has been brought forward because India is facing the danger of terrorism which should be encountered in an effective manner. I would like to say in this regard that we cannot fight out the danger merely by enacting a legislation. The Government should have a will power but the way the Government has shown her will-power on many previous occasions. The same is going to be repeated in this case also.

India is a power to reckon with among non-aligned countries. But the Countries which do not want India to forge ahead are trying to destabilise India by interfering in her internal affairs. Conspiracies were hatched to destabilise India after the formation of Bangladesh. You must be aware how several countries released their organised criminal gangs from jails and sent to Afghanistan equipped with arms to fight against communists. And it deserves a thought now after the disintegration of the U.S.S.R. the same criminal gangs are creating trouble in Kashmir and other States at the instance Pakistan. The manner in which terrorism is being supported in the name of humanism at the international level, India would have to show great will power in combating it more effectively. But then we find how criminal gangs and our politicians have nexus with one another. Every other day such stories are carried by newspapers and magazines yet no heed is paid to them. Similarly, the country is being inundated with narcotic drugs and smugglers have a network of their own in the country, smuggling is on the increase. But the Government is not taking any notice. It is being openly published in news-papers and magazines how our highly-placed politicians have an open nexus with such people. When we read in the news papers that some Government officials, ministries are indulging in such activities and the names of the highly placed officials in State Governments come to light we fail to understand what sort of alliance is taking place. If the Government wants to fight out such evils then she will have to show a great sense of resoluteness. Only then we can fight the extremists and economic criminals in the right sense. First of all we will have to, mend ourselves.

We have signed Extradition treaty with two countries but at the same time we will have to be

careful of the Organised Camps being run in America and Training Centres functioning in West Germany. The manner in which the Government has signed a treaty with Canada and England they should also sign a pact with other like minded countries also who want to fight terrorism in the right earnest. The steps should also be taken to check the nexus of politicians and economic criminals in the country. If you do not take steps against such people then this Bill will prove to be a mere eye-wash.

We will have to make efforts to get Prabhakaran extradited from Srilanka, and also Dawood Ibrahim to India. How Memon brothers managed to escape from here. They should also be brought back. Kastrochi also managed to flee from this country. Unless a stringent action is taken against all the economic criminals and smuggling gangs, we will not be able to implement. The provisions of the Bill in the right sense and the purpose with which this Bill has been introduced before the House will be defeated. With these words I support the Bill.

16.53 hrs.

#### MESSAGE FROM RAJYA SABHA

[English]

**SECRETARY-GENERAL :** I have to report that the Rajya Sabha at its sitting held yesterday, the 27th August, 1993, adopted the following motion in regard to the Committee on the Welfare of Scheduled Castes and Scheduled Tribes:

"That this House concurs in the recommendation of the Lok Sabha that Rajya Sabha do agree to nominate one Member from Rajya Sabha to the Committee of both the Houses on the Welfare of Scheduled Castes and Scheduled Tribes in the vacancy caused by the retirement of Shri Dipen Ghosh from the membership of the Rajya Sabha on the 9th July, 1993 and do proceed to elect, in accordance with the system of proportional representation by means of single transferable vote, one Member from among the Members of the House to serve on the said Committee."



16.53 Hrs.

# COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

Election of Shri Ramanarayan Goswami,  
Member, Rajya Sabha to the said Committee

SECRETARY GENERAL : I am further to  
inform the Lok Sabha that in pursuance of the  
above motion, Shri Ramnarayan Goswami,  
Member, Rajya Sabha has been duly elected to  
the said Committee.

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16.54 hrs.

## EXTRADITION (AMENDMENT) BILL— *contd.*

*As Passed By Rajya Sabha*

[English]

SHRI P. G. NARAYANAN (Gobichet-  
tipalayam): Mr. Chairman, Sir, I think the  
Extradition (Amendment) Bill, 1993 further to  
amend the Extradition Act, 1992 is a piece of  
legislation to which there would not be much  
objection. But the question is whether it will  
be able to serve the purpose for which it has  
been brought.

The main aim of this Bill is to make the  
extradition treaty more effective. It is high  
time that we tried to remove all sorts of  
anomalies in this field. Our country has  
entered into treaties with so many other coun-  
tries. I am not going into that aspect  
now. But I am very much concerned about  
those countries where anti-social elements and  
terrorists are seeking refuge after committing  
heinous crimes in India. They commit crime  
and escape into other countries.

What happened in Bombay? Those  
terrorists, who were involved in the bomb blasts,  
simply left this country. Some of them have  
taken shelter in Pakistan and the Government  
is not in a position to take any action against  
them because we do not have an extradition  
treaty with Pakistan. Because of them, we are  
not in a position to force them to extradite those  
terrorists to India. Pakistan is a member of  
SAARC. In spite of this, we are unable to do

anything in the matter. Memon brothers, who  
were allegedly involved in the Bombay-blasts,  
have entered Pakistan. The Government of  
India had approached Pakistan Govern-  
ment. And Pakistan's reply was, if the Govern-  
ment of India is in a position to find out Memon  
brothers in Pakistan, the Government of Pakis-  
tan will hand them over to us. It is an impos-  
sible task.

Moreover, merely passing this Bill and say-  
ing that we got extradition treaty with other  
countries is not going to help us. There must  
be some external pressure for this pur-  
pose. What is important is how to get the maxi-  
mum benefit out of this Act. Merely making  
some amendments in the original Act will not  
help. It will not complete the process of  
extradition also.

I would like to know from the Government  
whether this Amendment Bill will enable the  
Government of India to implement bilateral  
and multilateral treaties. How many countries  
are there with whom we are having extradi-  
tion treaties?

We are, therefore, of the considered opinion  
that the proposed amendments and the new law  
of extradition would not, in any way, affect the  
traditional protection India gives to the fun-  
damental rights and freedoms of the individual  
and its objectives and it should be consistent  
with the present trends at the international  
level.

[Translation]

SHRI KAMLA MISHRA MADHUKAR  
(Motihari): Mr. Chairman, Sir, while support-  
ing this Bill I would like to ask 3-4 questions. I  
would like you to inform the House the time by  
which the Extradition treaty with Pakistan and  
Bangladesh will be signed and the efforts being  
made and the steps proposed to be taken by the  
Government in this regard. We already have  
laws regarding narcotics drugs and criminals.  
That is being discussed the world over and  
news-papers are also waging a war against  
it. Are you proposing to organise a conference  
at the international level to have a discussion  
for its solution and reach an agreement on the  
lines of GATT?

17.00 hrs.

We have good relations with Nepal just  
across the Border. The criminals who ask for

[Sh. Kamla Mishra Madhukar]

ransom are taking refuge in Nepal. Do you propose to have a talk with the Government of Nepal in this regard? Is the Government of the opinion that they are going to achieve their target by merely amending this treaty? If that is not the case, then I would like to know what measures are proposed to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI R. L. BHATIA): Mr. Chairman, Sir, first of all I would like to thank all the hon. Members who have participated in the discussion. All participants have supported this Bill. As Shri Rajveer Singh has said that though all of us support the Bill but the question is whether the Government has also will to fulfil it. I would like to state in this regard that an amendment has been brought to strengthen the earlier Extradition treaty Bill and to bring terrorism and other such activities under its purview. It is a comprehensive Bill. It empowers the Government to make some more addition in the existing treaties and to enter into fresh treaties with other countries with which we do not have any treaty. This is the main intention to bring this Bill.

Shri Narayanan and other hon. Members have mentioned about Prabhakaran. So far as Prabhakaran is concerned, I would like to state that we do not have any extradition treaty with Sri Lanka but we have agreement of superstation Act with Sri Lanka and according to that we can claim his extradition. But before that we have to complete certain requirements. FIR is there and case is going on in the Court but there should be a verdict of the Court. First of all we have to start a trial and get final verdict, and then along with witnesses and other relevant documents we have to apply for the extradition. Prabhakaran case is under trial in special court in Madras but final verdict has not yet come. When final verdict will be received, then we will ask Sri Lanka for his extradition under SAARC treaty. This is the position of Prabhakaran's case.

Then question was raised about Dawood Ibrahim. He is residing in UAE. We also do not have extradition treaty with UAE.

SHRI RAJVEER SINGH (Aonla): You have friendly relations with UAE.

SHRI R. L. BHATIA: From friendly relationship point of view we have approached

to UAE. During my visit I had requested that Government for extradition but they have given us a proposal for a treaty. They have their own Shariat law and we have our own common law. That is why we have not accepted their proposal. We have submitted our own draft on which they are considering. We are putting pressure on them to accept our draft at the earliest so that both countries may enter into a treaty. As all the hon. Members have asked as to why all criminals go to that country, so I would like to say that it is happening because we do not have treaty with that country. That is why we cannot put pressure on them. Due to friendly relationship we are asking them for the extradition of some persons. They are considering the cases of 1-2 persons. About the economic offenders, about whom many things have been said here, a talks are going on. So far as Win Chadha is concerned, we have cancelled his passport. On this he has gone to the Court. Case is going on in Delhi High Court but his passport has been cancelled. He has applied for a fresh passport in our Embassy in Dubai but that has been rejected. Here the case is similar that we do not have any extradition treaty with that country. That is why we cannot bring him back but we are putting a lot of pressure... (Interruptions)... I am telling about Memon brothers also. You are saying that after the incident when they left the country, why action was not taken. That incident occurred on 12th and on 17th Police came to the conclusion that it was the work of Memon brothers. At the same time we approach that country and they assured us that they would look into it. As it had become a much debated issue in India and appeared in the newspapers all over the world.

SHRI RAJVEER SINGH: I had read a statement of Police Commissioner of Dubai. In that statement it was stated that the Indian Government had not given them any prior information about Memon brothers coming to their country and a watch should be kept on them. Now they have left for Pakistan.

SHRI R. L. BHATIA: We came to know about it on 17th and on the same day we sent a message to our Ambassador there but by that time they had left for Pakistan. This is the position.

SHRI RAJVEER SINGH: Your department has caused delay in giving information.

SHRI R. L. BHATIA: There is nothing like that.

SHRI RAJVEER SINGH: They got information on 17th but they passed on the information on 22nd. There was a gap of 5 days.

SHRI R. L. BHATIA: It is not correct. We had given information to them on 17th. CBI had given information to interpol but when we approached them by that time they had left. There was no delay in it. So far as Pakistan is concerned, we approached Pakistan on the same day that Memon Brothers have gone to their country. The name of plane and list of passengers were given to Pakistan. At first they did not agree but later on they said that they would try to find out them. When our Prime Minister met his Pakistani counterpart and stressed to handover them to India, they said that they were trying to identify them but after that despite repeated inquiry they gave no response.

SHRI LAL K. ADVANI (Gandhi Nagar): Our Government approached Pakistan on 23rd. It is being said repeatedly by Pakistan that they got first information from Indian Government on 23rd whereas the incident of bomb blasts occurred on 12th. Information regarding Memon Brothers was received on the night of incident itself when their car was found there, who will explain this delay?

SHRI R. L. BHATIA: As I have said that information was not received on the same day but after an inquiry it was found on 17th that it was the work of Memon brothers and by that time they had left India for Dubai. We approached Dubai Government on 17th but this news appeared in all the newspapers as a result of which they escaped to Pakistan. This is the position.

SHRI LAL K. ADVANI: I am asking this question repeatedly that when you informed Dubai Government on 17th, why you have not informed Pakistan on the same day?

SHRI R. L. BHATIA: But when we came to know about it we did not have any proof of it. It took some time to get a copy of the FAX. As soon as we got the proof we submitted it to Pakistan.

Besides, the name of countries were also asked by the hon. Members with whom we have Extradition treaty and with whom we are going to sign extradition treaties. At present we have Extradition treaty with Bhutan, Nepal, Belgium, USA, Neitherland, Uganda, Canada and U.K. and we are going to sign extradition treaty with Switzerland, Sweden, Tanzania, Australia, Singapur, Srilanka, Papua, New Gini, Fizi and Thailand.

17.12 hrs.

(MR. DEPUTY SPEAKER *in the Chair*):

Besides it was also asked as to how much time will be taken to sign such treaty with Bangladesh. So far as Bangladesh is concerned, there is a SAARC Superstation Act which has been signed by all the members countries. It was signed by Bangladesh and Pakistan but they have not yet got it rectified from their respective legislatures. In every meeting we remind them. The Bangladesh Government says that it does not need to enact a separate law for it but it requires to make certain amendment in its local law. We have asked them to take early step in this regard and we hope they will do it at the earliest.

Secondly, Shri Madhukarji has asked as to why all the countries do not hold a joint meeting, like GATT meeting, to take a decision on extradition on some specific crimes. In this regard I would like to say that these are bilateral treaties and are signed between two concerned countries only.

These were the main questions asked by the hon. Members. All members have contributed to the Bill and have also given suggestions. Such treaties give us strength and we are covering more areas particularly terrorism by these treaties. Treaty with U.K. has proved beneficial because there was a terrorists base in U.K., and this treaty has also helped in restoring peace in Punjab. I think, now we can have such treaties with more countries and it will enable us to bring back the culprits living abroad.

With these words, I thank you all and request you to pass this Bill unanimously.

[English]

MR. DEPUTY SPEAKER: The question is:

"That the Bill further to amend the Extradition Act, 1962, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

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

The question is:

"That clauses 2 to 18 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 18 were added to the Bill.*

MR. DEPUTY SPEAKER: The question is:

"That Clause 1 the Enacting Formula and the long Title stand part of the Bill."

*The motion was adopted.*

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

MR. DEPUTY SPEAKER: The Minister may now move that the Bill be passed.

SHRI R.L. BHATTIA: I beg to move:

"That the Bill be passed."

MR. DEPUTY SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

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17.15hrs.

## TRANSPLANTATION OF HUMAN ORGANS BILL

As passed by Rajya Sabha

[English]

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI PABAN SINGH GHATOWAR): On behalf of Shri B. Shankaranand, I beg to move that the Bill to

provide for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs and for matters connected therewith or incidental thereto, as passed by Rajya Sabha be taken into consideration.

Sir, Hon. Members are aware that the Government had promised to bring forward a legislation on the transplantation of human organs. Accordingly, the Transplantation of Human Organs Bill, 1992 was introduced in the Rajya Sabha on 28th August, 1992 and that House passed it on 5-5-1993. The question of enacting a legislation arose in order to prevent unauthorised removal and sale of human organs and to ensure that nobody indulges in commercial dealings which are, more often than not, exploitative in nature, as has been stated in various fora, including this august House. At the same time, we have the wherewithal to perform organ transplants. It is our moral obligation to provide for a legislation which would allow for a human organ to be removed and transplanted with adequate safeguards to ensure safety and dignity of the person concerned. We also need a suitable legislation to provide for the removal of human organs from deceased persons and from those who are declared to have reached a stage known in medical vocabulary as brain-stem death. Such removal of organs which are of no value whatsoever to either the deceased or the brain-stem dead persons can be used by other members of the society prolonging their productive life.

The organs which can be transplanted in the human body are the eyes, ear-bones and ear-drums, bones, bone-marrow, skin, heart, liver, pancreas and lungs. The Bill seeks to identify three categories of donors, namely:—

- (i) deceased persons
- (ii) brain-stem dead persons
- (iii) living persons desirous of donating an organ.

The Bill contains the definition of the deceased persons and brain-stem dead persons.

In cases of brain-stem dead persons below 18 years of age, removal of organs may be authorised by any of the parents, after such death has been certified as brain-stem death by the panel of experts mentioned in the Bill.

In cases where the persons lawfully in possession of a dead body authorised by deceased for removal of organs believes that an enquiry into the cause of death may be held, he may not give authority for removal of organs.

No human organ removed from the body of living donor shall be transplanted into a recipient unless the donor is a near relative i.e., spouse, son, daughter, father, mother, brother and sister of the recipient except in some exceptional circumstances defined in the Bill.

The Bill provides that no hospitals, unless registered under this Act shall conduct the removal, storage or transplantation of human organs. No medical practitioner shall conduct any activity relating to removal, storage or transplantation at a place other than a place registered under this Act.

The Bill provides for removal, storage and transplantation of organs only at registered hospitals.

The Bill provides for punishment also to any medical practitioner or a hospital employee or a person rendering services to hospital, who conducts, associates with or helps in unauthorised removal. The punishment will be imprisonment for a term up to 5 years and a fine extendable up to Rs. 10,000. The name of the medical practitioner involved can be removed from the register of Medical Council for a period of two years for first offence and permanently for subsequent offences.

The Bill also provides for punishment of persons involved in making or receiving payment for supply of human organs etc. They shall be punishable with imprisonment for not less than two years, but extendable up to 7 years and a fine not less than Rs. 10,000 but extendable up to Rs. 20,000.

The Bill provides that no court shall take cognizance of an offence under this Act except where the complaint is made by the appropriate authority or by a person who has given 60 days'

notice to the appropriate authority for his intention to make a complaint to the court.

The Bill finally seeks to provide that no legal action shall lie against any person for anything done in good faith in pursuance of this Act nor against the Central or State Government.

Mr. Speaker, Sir, in order to achieve these objectives, the Transplantation of Human Organs Bill, is before the House for consideration. I sincerely urge hon. Members to give us the benefit of their considered advice on its various provisions in the interest of appropriately regulating the removal and transplantation of human organs preventing commercial practices in this regard and providing penalties for those who choose to operate contrary to the law of the land, and support the Bill.

Sir, the Bill, as passed by Rajya Sabha, may now be taken up for consideration.

MR. DEPUTY SPEAKER: Motion moved.

"That the Bill to provide for the regulation of removal, storage and transplanation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

[Translation]

DR. LAXMINARAYAN PANDEYA (Mand-saur): Mr. Deputy Speaker, Sir, this Bill, which is relating to Transplantation of Human Organs, could be termed as a good bill but there are certain defects in it. If these defects are removed then it can become more practicable and useful to the society.

The hon. Minister knows very well the reasons which necessiated the enactment of such law. A committee was constituted under the chairmanship of Dr. L.M. Singhevi for suggesting legal frame work for regulating kidney transplantation. There were some other members in this committee and on 25th February, 1991 a reference was made by the Health Ministry.

[Dr. Laxminarayan Pandeya]

[English]

"The concept of brain death and the definition thereof.

The desirability of enactment of a separate Legislation for this purpose and the legal, medical and social implications of the same.

The safeguards to be adopted to ensure that the concept of brain death is not misused.

In what manner should the concept of brain death be utilised for facilitating availability of human organs for the purpose of transplant?

The Group shall submit its report within three months."

[Translation]

This committee has submitted its report and on the basis of this report this Bill has been brought by the Government. But many things which have been mentioned in the report have not been included in the Bill. I would like to say that it is a very good step in the interest of the society because it was being used for commercial purposes. Such cases from South India and other parts of country have come to light that hundreds of persons have sold their kidneys. If it was not commercial then such things were done under compulsion. Some one told that he sold his kidney to buy a rickshaw to feed his family. On the one hand it is the condition of society and on the other some middlemen have cropped up. They charge Rs. 80,000 for a kidney but pay Rs. 40,000 to the donor. There is need to check such things. There are certain persons who really need it. I have received a letter from a Doctor. He has no brother, no sister and no parents. There is a female child who had gone under kidney operation but after three-four years her kidney again started rejection. She requires another kidney. According to your definition of near relative and donor, he is not covered anywhere and he cannot get kidney. There is no provision in this Bill as to what assistance could be given in such cases. Some provisions should be made to remove such difficulties also. The near relative includes husband, wife, son, daughter, daughter-in-law, son-in-law, father-in-law,

mother, father, brother and sister. I think if definition of near relatives is widened by including blood relations in it, many untimely deaths could be prevented. There is also need to think deeply on the definition of brain-stem death. The legislation in this regard is very important. Much has been said about brain stem death in Britain but to whom one should authorise—Neuro Surgeon, Neurologist, Urologist, registered Medical Practitioner or any expert? I think it would be much better if expert Neuro Surgeon of IUC, Neurologist, Urologist or any expert in kidney transplantation is authorised. It has to be taken into consideration that the person to whom we are going to authorise may not misuse it.

[English]

*Page 8-9 of the report*

"In India, expert opinion generally appears to favour the adoption of the UK criteria. We are also of the view that the UK criteria have the advantage of being simple, clinical, unequivocal and capable of confirmation. Accordingly, we recommend the adoption of the UK criteria...."

"...The expression death has been defined in the Indian Penal Code and in the Registration of Births and Deaths Act, 1969. Section 46 of the Indian Penal Code defines death as follows:

'Death denotes the death of a human being unless the contrary appears from the context.'

Section 29(B) of the Registration of the Births and Deaths Act, 1969 defines death:

'as the permanent disappearance of all evidence of life at any time after live birth has taken place.'

*Page 13-14 of this report*

"...We recommend that adequate safeguards should be incorporated at the time of framing rules pertaining to removal of organs from destitute, physically handicapped and mentally retarded children who may have been declared brain dead with the view to preventing exploitation by

unscrupulous persons who may be in possession of the body. Further, removal of organs should in any event be allowed only at authorised institutions.

"...That provision for authorising and accrediting hospitals which have the capability in the form of skilled manpower, equipment and associated facilities for removal as well as transplantation of specific human organs be incorporated."

[Translation]

In our country also there are several hospitals having adequate facilities in this regard. In Nadiad there is a hospital for Kidney treatment, a similar hospital is there in Madras also. Here in Delhi we have All India Institute of Medical Sciences, Batra Hospital, Moolchand Hospital and Gangaram Hospital. They have separate wings for this purpose. A separate wing should be opened in every hospital. Expertise is required in this field. I have received a letter from Nephrology Society who have sought a clear definition about 'relatives' and they have also raised the question about brain-strain deaths. At the same time they have suggested that the time limit for removal of the organs from the body be reduced from 48 hours to 24 hours, for which I have already moved a motion.

The Bill moved by the Government has been named 'Human Organ Transplantation' Bill. Because if this concerns only liver, heart or lungs then it is alright, but when the matter is related to kidneys, transplantation is not possible unless the tissues are matched. Therefore, the word 'tissues' should also be mentioned. As I have already submitted that its functioning affects many other human organs. Therefore, it becomes necessary to pay special attention towards it. Today, kidney dialysis is very expensive, one dialysis costs about Rs. 800/-. A patient may need dialysis once a month at the preliminary stage but then the frequency may have to be increased to once a fortnight, once a week and then everyday. It is just not possible for a patient to pay such a heavy amount daily. It is the moral responsibility of the Government to provide this facility to the poor who cannot afford to pay such heavy expenses. Otherwise, the patients would die, and they do die for want of treatment. The facilities available in Government hospitals are inadequate. Big hospitals do

have these machines, but most of them are generally out of order. Despite the availability of seven machines, only one machine works and all others are out of order. Due to this reason, there is a long queue of patients from morning till evening. Whereas many patients should get the benefits of the dialysis facility only one patient is able to get it.

This is such a serious matter. It should be given serious consideration. It is not an ordinary Bill. The irrelevancies in the Bill particularly with regard to the donor, the close relative and the death of the patient should be removed. There is a provision for voluntary donation of eyes, liver and several other human organs, but nothing has been said about the donation of kidneys. So far as donation of eyes is concerned there are eye specialists and also eye banks. But neither there is any kidney bank, nor it is possible at present. Because this organ has to be transplanted within 2-4 hours otherwise it stops functioning and is of no further use. This is the difference between donation of eyes and kidney. Does the Government propose to create hurdles in this regard. Is it proper to suspect a voluntary donor as a professional seller? Therefore, if the donor declares that he is willing to donate it to save someone's life, the Government must think over this aspect also.

It is true that some aspects should be investigated. But it is not appropriate to suspect him as a professional seller.

As I have already submitted that there are occasions when some persons are forced under circumstances to sell their kidney. There have been many instances in Bihar in which starving parents sold their children, daughters and even babies. A dying man can do anything in desperation. This is a degradation of our society, which has been caused by the negligence of our Government. The Government should think about both these aspects. In my opinion the restrictions proposed to be imposed by the Government are stricter than those imposed in Britain. Because they do not find it necessary to impose such restrictions. They have provided a number of facilities and I would like to quote.

[Sh. Laxminarayan Pandeya]

[English]

"That periodical inspection by competent authorities be instituted at the hospitals authorised for removal and transplantation of organs with a view to examining the quality of transplantation and follow up medical care to persons who have undergone transplantation and persons from whom organs and tissues have been removed."

[Translation]

Our Government should also provide all these facilities which will be beneficial to the common man, otherwise common man will continue to suffer.

Sir, recently on the 5th June, our hon. President inaugurated the 'Donor Card' System which is very useful. It contains the declaration of the donor that he is voluntarily donating his organ and that the organ should be removed from the body after his death for which the Government should make all the necessary arrangements. Thereafter, the card contains the signature of the donor. The Donor card is the means through which the donor voluntarily donates his kidney or any other organ. Thus, in my opinion the Government should make some provisions in this regard. Since it is in the interest of the society, the Government should think about it.

In the end, I would like to submit that so far as the transplantation of kidney is concerned the Government should clarify as to whether or not the expenses in this regard are to be waived off. Because it is not an ordinary expense. One dialysis costs thousands of rupees and this amount cannot be borne by every patient. Before and after the transplantation, a patient has to take the medicine sicosporine for 3-4 years. This medicine costs Rs. 6000/- per bottle, and is sufficient only for 20-22 days. Earlier, the price of this medicine was Rs. 3000/- to 3200/-. Besides, this medicine is available only through a money draft, cash is not accepted. In this manner the total cost of treatment in one month comes to about Rs. 9000/-, and sometimes it may exceed when the patient has to take more medicine. Therefore, I think the Government should allow the donation of kidney from the donors. Donation of kidneys should be accepted and these should not be rejected. At the

same time related medicines should also be taken.

I think that nearly 90 per cent patients need this medicine. In some special methods this medicine is not required after the transplantation but the methods being adopted before it are very difficult. If this medicine is not taken during the course of transplantation then one has to take it for the next 2-3 years. If its acceptance is good i.e. it has not been rejected by the body then it continues. Although the quantity of doses is reduced gradually. In the beginning one and a half bottle, then one and thereafter a half and a quarter bottle is given to patient. There are some other medicines also which I do not want to mention. You can well imagine the impact of all these medicines on the Kidney patient and how costly is the Kidney transplantation.

It is very essential to look upon this Bill in the context of all such points therefore, this Bill is incomplete. It is good that a step is taken in this direction. There cannot be two opinion in this regard. I accept in principle that it is a good step but after its approval had you tried to bring a Comprehensive Bill and included all these points in this context then certainly it could have been more useful and we would be able to put a check on illegal trade which is the requirement of the society at present. But with this, we also want to cater to the needs of the needy people because it is the duty of the Government to provide all such facilities which are required for living a healthy life. The Government should certainly make arrangements to provide medicines to such persons who are unable to bear its expenses. As the Government has brought this Bill and has made several provisions including punishment clauses. The Governments should also ensure that needy and genuine persons may not deprived of it.

Finally, I will like to conclude by mentioning one more point that this Bill has been brought in order to provide facility to the patients and to create a new order in the society to inspire people to voluntarily donate human organs. The Government should make arrangements in this regard so that such patients may get this facility in time and their difficulties may be removed.



[English]

SHIRI SHARAD DIGHE (Bombay North Central). Mr. Deputy Speaker, Sir, I rise to support the Transplantation of Human Organs Bill that is put before this House. But, while doing so I would like to make a few observations as far as the utility of this Bill is concerned.

Sir, about the object of the Bill, it is very laudable. We want to really speaking—prohibit commercial dealings in human organs. Therefore, the Bill—really speaking—attempts to facilitate the availability of this therapeutic modality to the Indian population by providing legality to the harvesting of organs from the dead bodies and at the same time it is trying or intending to insist that living donation can only be made from relatives of the patient. These are the two objectives which are clear from the Bill.

In the first place, I submit that we are hastily passing this Bill. Firstly, for this reason that this Parliament ordinarily has no right to legislate on this subject except with the resolution passed by the States. At present only three States—Goa, Himachal Pradesh and Maharashtra—have passed this resolution. In the rest of India, still there are no resolutions at all. Therefore, I feel that it would be very difficult to put in force this Bill unless all the States agree and pass a resolution adopting this resolution. Unless that is done, if you start merely putting this into force in these three States, it will have a counter-productive effect because people will rush to other States where this Act will not be in force and the trafficking—which we want to stop—will continue as far as these human organs are concerned.

Therefore, I would urge upon the Government not to put this into force unless all the States in India agree and adopt a resolution for the adoption of this law.

Secondly, mere legislation for harvesting of human organs from the dead bodies in a fit condition will not be sufficient unless a very expensive infrastructure is organised throughout the country for this purpose.

I am told that this infrastructure is very expensive and it will take nearly 10 to 20 years to provide this infrastructure. Therefore, if we

hastily try to implement this, it will create further problems rather than it will solve the problem of trafficking in human organs. So, I would urge upon the Government that if they really want to implement this law, then they must quickly provide this infrastructure throughout the country and then only this can be implemented.

Sir, now there is so much of scarcity in all these human organs. For example, I am told that only in the case of kidneys nearly 80,000 to 1,00,000 kidneys are required every year and I do not know whether it will be possible to create a bank for meeting this need in a short time. If that is not done and if we merely stop or insist that kidneys can be transplanted only from the near relatives, I think, it will create problems and many people may face the tragedy of death. For example, as far as kidneys are concerned, I am told that when the kidneys fail there are only two ways to save the patient. One is dialysis and the other is transplantation. Now, one dialysis costs Rs. One lakh every year and there are very few centres, if we consider the extent of our country. I am told that not more than 150 centres are there where this facility of dialysis is there. So, the transplantation of kidneys is the only way to save such patients and for that purpose Rs. One lakh is the expense at present. For this, if we only insist on this "near relatives" clause, I very humbly submit that we are creating further problems as far as the health of this country is concerned.

Lastly, I would like to say that I also have got many reservations on this definition of "near relatives". Who are the "near relatives"? They are spouse, son, daughter, father, mother, brothers and sisters. It is very a small list. Not only that, but considering the social conditions of our society at present, I think, the pressure will be more on the spouse. So, the pressure will be on the ladies to sacrifice for their husbands. The whole of the family will always look to the wife for this purpose and she will not be able to resist the social pressure, as far as this transplantation is concerned.

17.49 hrs.

(MR. SPEAKER—in the Chair)

Therefore, Mr. Speaker, Sir, it will be a great injustice done to the women of this country, if

[Sh. Sharad Dighe]

we insist that transplantation can be done only from the "near relatives". The daughter may not come forward at all, because the husband of the daughter will say that you are not only daughter of your father alone, but you are also my wife and therefore, you cannot do that without my permission. Similarly, brother also will not come forward because his wife will say that you cannot do without my permission, because you are my husband.

**SHRI SOMNATH CHATTERJEE (Bolpur):** This is a Bill which should go to the Standing Committee.

**SHRI SHARAD DIGHE:** Therefore, it will create great problems in the present society in which we are living and the pressure will be mostly on women or the wives only as far as this is concerned.

Therefore, my submission is do not hastily stop this purchase of organs in the market. No doubt, we feel in our enthusiasm to stop trafficking in this. I agree that there are many unscrupulous people who are taking advantage of this and making much of the money at the cost of poor people and misleading them. I have come across cases in Bombay where doctors have told me that there are some scandals in the big hospitals where there are rackets of the doctors who mislead the poor patients and tell them "Your kidney has to be removed. Otherwise, you will die." He accepts that advice and kidneys are sold to another rich man. Such scandals are also going on. We want to stop that. But, in our enthusiasm to stop all this, we are limiting it to these very near relatives which will, as I said, create social problems and every time in the family, whenever kidney is required, everybody will look to the wife or to the mother and she will not be able to resist this pressure.

Therefore, I submit that we should give a very serious thought. If we are passing this, before implementing this, please do not make haste, unless the whole of India, all the States pass this resolution and agree to this legislation. Please do not go ahead at all, unless you create full infrastructure whereby these organs can be received as banks sufficiently which are needed as far as the need of the society is concerned. You must hasten very slowly as far as this Bill is concerned.

**SHRI LAL K. ADVANI (Gandhi Nagar):** We just heard Dr. Laxminarayan Pandeya and Shri Sharad Dighe. I think a bill of this nature should have gone to the Standing Committee. I do not know whether the Standing Committee considered this or not. If it has not considered, taking into consideration these very valid points that have been made by both the speakers, could the Government consider stopping at the moment, not passing in haste and referring to the Standing Committee, because some amendments might have to be made and it is true that we should have to go back to the Rajys Sabha. Rajya Sabha has already passed it. But it would be wiser to adopt that course rather than rush through this lacuna and create problems of this kind.

**SHRI SOMNATH CHATTERJEE:** This should not be a controversial Bill. This is a matter relating to the health of the country. Therefore, I endorse it. As a matter of fact, I myself suggested that it should go to the Standing Committee. I am sure the young minister would not like to force it on the House. This is where the Standing Committee can play a very useful role.

**DR. KRUPASINDHU BHOI (Sambalpur):** Dr. Laxminarayan Pandeya and Shri Sharad Dighe actually pointed out certain lacunae. Now the existing practice in our country is only donation of kidney and other organs from a living person desirous of donating the organs. In this Bill, it is provided that they can be obtained from the deceased person. I do not think it will be hazardous if we pass this Bill.

Infrastructure will be provided in 115 organisations of the country. That is the only lacunae.

Of course, it will be discussed. The discussion may come up. But this is the only point which I want to impress on you. It is necessary. It is pending for a long time.

**SHRI A. CHARLES (Trivandrum):** Sir, with your permission, I would like to make my submission. There are two points raised here. The first point is that the whole infrastructure should be made ready and sufficient number of human organs should be available in the bank. The second most important point is that the States should pass the legislation. I also support the proposal of the hon. Members

on the other side as well as on our side that this may be referred to the Standing Committee; this may not be rushed through. I feel that sufficient time may be given. It should be reconsidered.

[Translation]

SHRI NITISH KUMAR (Barh): I also want to support this motion, it should be referred to Standing Committee and given due consideration.

(Interruptions)

[English]

SHRI KRUPASINDHU BHOI : It could have been discussed at length if sufficient time had been given. But there is no requirement of sending it to the Standing Committee. It is very clear.

SHRI SOMNATH CHATTERJEE : Why?

DR. KRUPASINDHU BHOI : Do not ask like this. It is not in your domain. If you want, I can convince you.

[Translation]

SHRI LAL K. ADVANI : Pandayji himself is a Doctor and he has a practical experience because he had witnessed it in his family. Keeping in view these two points whatever he has referred to here and in new of the comments offered by Shri Sharad Dighe, I would like to put a suggestion that it should be referred to the Standing Committee and if the Standing Committee holds its view that the Bill does not need any amendment the Government may bring this Bill again to Parliament. It is a matter of a few days only.

SHRI RAM KRIPAL YADAV (Patna): I am agree with the views of Shri Advaniji and Shri Dighe. This is a very sensitive issue and requires an amendment. The number of patients is increasing day by day. You have limited it up to Father-Mother, son. Therefore you should bring an amendment to it.

[English]

SHRI SOMNATH CHATTERJEE : The further debate can be postponed.

MR. SPEAKER : What is the view of the Government on this matter?

SHRI PABAN SINGH GHATOWAR : There was a strong public opinion created in this country about the misuse of the human organs. Considering that, the Government has constituted a Committee consisting of very eminent persons of our country. They have given the report. Basing on that report, this Bill was drafted. It has already been passed by the Rajya Sabha. I may submit to you that all over the developed countries, these systems are going on. I am proud to say that our doctors are as good as any other doctors of any other country in the world. I think there are the infrastructure facilities available in some places. If we pass this Bill, I think, those facilities can be utilised. (Interruptions)

SHRI SOMNATH CHATTERJEE : This is not a political Bill. This is beyond the arena of politics. This Bill relates to the human organs.

MR. SPEAKER : Let us not be rigid on this.

SHRI PABAN SINGH GHATOWAR : As you direct, Sir.

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM) : May I make a proposal? There are strong feelings on this from all around the House cutting across the party lines. Since it has been passed by the Rajya Sabha, sending it to the Standing Committee may not be a right proposal. What I would suggest is that we could move a motion to defer the debate now. Let us have an inter-Session discussion among the leaders' representatives and look at the draft carefully. Then, we can conclude the debate in the next Session. I think that would be the best suggestion that I can give now. If the House agrees, we can do so.

DR. KRUPASINDHU BHOI : This is the best suggestion. (Interruptions)

MR. SPEAKER: It is not necessary. We are at the fag end. We do not have to quarrel on technicalities. We can resolve this issue.

18.00 hrs.

Supposing if it is the sense of the House that it should not be passed now and it can be considered in detail, then it can come up for discussion later on also. It is not necessary to adjourn also because it is 6 O'clock now. We will continue this.

SHRI RANGARAJAN KUMARA-MANGALAM: Totally, we agree with you.

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18.01 hrs.

RE: MOTION ON DUNKEL DRAFT TEXT  
ON TRADE NEGOTIATIONS

[English]

MR. SPEAKER: Then what about Dunkel?

(Interruptions)

[Translation]

SHRI NITISH KUMAR (Barh): Yesterday, the hon. Minister had given an assurance in the House that after completing all the other items quickly we would discuss the Dunkel issue in the rest of the time. Two days ago, I had raised this issue that the Government of India trying to avoid a discussion on the Dunkel Draft. Of course, a notice was given that we wanted to hold a discussion on this motion. But the Government did not take any interest to make an early discussion on it. That is why it has been put as a last item in the list of Business.

MR. SPEAKER: It has been removed from the list.

SHRI NITISH KUMAR: This is the last item as per today's list of Business. This is a very sensitive issue. The whole of country is concerned about it. People are staging agitations. But we are not able to discuss it properly in the Lok Sabha. A number of Members have continuously been waiting to raise this issue but

it is already 6 O'clock and it will not be possible for us to discuss it today properly. I, therefore, do not have any objection if it is taken up in the next session. I want to submit it personally that if it is taken for discussion in the next session then it should be placed like this that it can be focussed. I would also request you that the Debate on Dunkel should be fully televised. (Interruptions)

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Let the Dunkel proposal be discussed in the special session. (Interruptions)

SHRI SOMNATH CHATTERJEE (Bopur): Always, the discussion on Dunkel is coming on the last day after 6 O'clock in every session. There is no possibility of any discussion. And then the Government gives an assurance, "we are very very serious about the discussion and in the next session we shall do it. Again, 6 O'clock has already passed of the last day, even an extended day. Therefore, there is no possibility of any effective discussion. I take it that the Government also agrees that this is a very serious matter and the country is agitated over it that there should be a full discussion. Hon. Prime Minister has said that there will be a special session. I say, two days of that session should be kept for discussion on Dunkel proposal and then this other Bill which you also want, bring it in the special session—those two Bills and also keep the Dunkel proposal for discussion during that session. It will be very very effective session then. Do not bring other things. We want a discussion. If not so, then it should be brought in the first week of the next session. (Interruptions)

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): We have been talking about this Dunkel proposal in the Business Advisory Committee. You know, Sir, that the Government has been proposing a discussion on it right from the beginning. If the House has not been able to find time to discuss it, it is not the Government's fault. We have given the highest priority. But for reasons best known to the House and you also know the reasons that in your presence, in your chairmanship this discussion has been held. We decided that we

would have it in the extended session after we dispose of the business quickly. We should not take so much time on matters. But if a lot of time is taken, then the Government cannot be blamed. If we decide to take two hours for a particular item, we take six hours for it; if we decide to take one hour for a particular item, we take four hours for it; if we decide to pass a particular item without discussion, then we discuss it for two hours and then this kind of situation arises. The Government has been very serious, is very serious. If it is possible, we would like to discuss the Dunkel proposal today. From our side, our Minister is ready, we are ready. We have already prepared the list of speakers. If the opposition leaders are ready, we can discuss it now. (*Interruptions*)

SHRIMATI MALINI BHATTACHARYA (Jadavpur): The Treasury Benches will be empty. (*Interruptions*)

SHRI VIDYACHARAN SHUKLA: It is not unusual in this hon. House to sit late to dispose of various important discussions which are pending. In my opinion, Dunkel proposal is one of those items which must be disposed of. And I am speaking on behalf of the party and the Government. (*Interruptions*)

SHRI CHANDRA SHEKHAR (Ballia): What does he mean? An assurance should be given that the Government will not take a decision before it is discussed in this House.

SHRI VIDYACHARAN SHUKLA: I think we should start the discussion on the Dunkel proposals now. Our Minister is ready with his opening statement. He will make the opening statement. We can hold a discussion and if the discussion is not conclusive, we can carry it on at some other time. But, we should start the discussion rather than leaving it in the limbo as we do. We should start the discussion now. (*Interruptions*)

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Will you agree if we ask for a special session? What are you saying?

SHRI VIDYACHARAN SHUKLA: I will say whatever I want to. That is all. I have no obligation to say what you want me to say.

Sir, therefore, I would humbly request you to start the discussion on the Dunkel proposals today.

[*Translation*]

SHRI LAL K. ADVANI (Gandhinagar): The demand to discuss Dunkel proposals is being raised in the House because it has become a matter of great concern throughout the country. Many sections of people, particularly the farmers are greatly worried due to it. Therefore, we have not to discuss it only for the sake of formality, just start today and repeat it next time again. As Shri Chandrashekhar has pointed out, there is no use in starting the discussion today because the matter cannot be discussed properly today. But at the same time the Government should assure that no final decision will be taken until the matter is discussed in the House and the House gives consent. It would be proper to discuss the matter on the first day of the first week of the next session whether it is a special session or normal session.

[*English*]

SHRIMATI MALINI BHATTACHARYA: Sir, I want to say just one thing. We are told that the Dunkel draft proposals will have to be signed in the month of December. In December, it will have to be signed.

MR. SPEAKER: Let us understand that everybody is very eager to discuss the Dunkel proposals. I think, this was discussed on one occasion in the House and the proposal given was to refer it to the Joint Select Committee. There was a proposal. But, then, this matter again came up for discussion in the House.

(*Interruptions*)

MR. SPEAKER: Let me complete. I am standing here.

The Joint Select Committee had already discussed it and I think, they have given a Report. I am not so sure.

(*Interruptions*)

MR. SPEAKER: Please let me complete it. Otherwise, it becomes very difficult to say what I have to say.

Now, there is a Standing Committee for Commerce and that Standing Committee had

discussed this matter and I think that they have given the Report. The Standing Committee's Chairman comes from Rajya Sabha; Shri Gujral is the Chairman of that Committee. I think, he had given the Report.

A suggestion was made on the floor of the House that the Government's initial stand on the Dunkel proposals should be made known to the Members so that the Members can respond to the initial stand taken by the Government and that initial stand could be modified in the light of the suggestions given by the Members or in the light of the discussions with other countries also. In response to that suggestion, I think, the Government had circulated certain papers and probably, they have indicated the kind of stand they want to take on the Dunkel proposals, if agreed to by all of you. And, they have indicated probably, some points on which more discussions and deliberations would be required with the Members of the House as well as outside.

Now, this is the position. And I am sure that everybody wants that there should be a discussion. There is no shirking of the responsibility on the part of the Government to discuss it.

Nor is there any obstruction created by the other side. But now that we are at the sag end of this session, probably it cannot be useful just to have a few sentences spoken on it. In the next session, with the agreement of all, it can be discussed, whenever that next session is going to be there.

This is exactly for these reasons that the Presiding Officers have been saying that the unfinished business should be discussed for a shorter time. This is exactly the point that the Presiding Officers have been saying that the points made by one member need not be repeated by other Members, so that the time is available to all the Members.

But when we are on the point, we do not have the totality of the business to be transacted by the House before our eyes and the difficulties arise. But this is not apportioning the blame. We are all responsible; even the Presiding Officers are responsible for that. That is not the point. I think we can discuss it in the next session, whenever it is held.

[Translation]

SHRI NITISH KUMAR: The Agreement should not be signed.

[English]

SHRI SRIKANT JENA (Cuttack): They will not sign the draft unless this House discusses this draft fully. That commitment must come from the Government. Who is giving that commitment?.....(Interruptions)..... The Government is not prepared; they are not going to give that commitment to this House.

MR. SPEAKER: Do you realise that we always sit in December? .....

(Interruptions)

MR. SPEAKER: We have all these things in view. Unnecessarily, without applying your mind, if you are making some suggestions, complications arise.

SHRI SRIKANT JENA: Always an assurance was there that unless the House discusses this draft proposal, the Government will not sign the agreement. The Government should commit that.

MR. SPEAKER: I do not know whether the Government is ready to give that commitment.

SHRI SRIKANT JENA: Why is the Government keeping quiet?

MR. SPEAKER: This is exactly why we do not get the time to discuss important issues. Without understanding the procedure, without understanding the time, you are making the proposal.

SHRI CHANDRA SHEKHAR: Mr. Speaker Sir, we want to know only one thing; whether this House will be allowed to discuss the Dunkel proposal or the House will be asked to discuss Dunkel agreement. That indication should be given by the Government; whether we are going to discuss the proposal or the agreement. Because there is a lurking doubt in the minds of the people that the Government will come with an agreement. Then there will be no purpose in discussing Dunkel.

THE PRIME MINISTER (SHRI P.V. NARASIMHA RAO): Dunkel proposals for

discussion have come here quite sometime back. What the hon. Members want me to do is that we will not go on with the negotiations; everything will be kept in cold storage until we discuss it. I beg of you, I beg of the Members to discuss it as quickly as possible. This is an international convention that is going on there, negotiations are going on there; may be they will also be delayed. But how can we lock this up depending on this?

MR. SPEAKER: If you all are ready to discuss it, I am ready to sit.

SHRI P.V. NARASIMHA RAO: We are prepared to discuss it. We have never shirked any discussion. It has been postponed sometimes, I understand for various reasons; may be for valid reasons. I am not going into the reasons. But the point is, no guarantee can be given. It is quite possible that we may also try to have a little more time there. Yes; but beyond that, it is not possible.

SHRI CHANDRA SHEKHAR: This is most unacceptable position for the Parliament of India that others will decide what we should discuss and when. This cannot be accepted by this country. I also know that others cannot force us that we should take the decision today. Are we a sovereign nation or are we going to be guided by the Dunkel and GATT negotiations? This is exactly the point where Members are agitated. Because the Government finds itself totally helpless. Tomorrow they may be pressurised to sign the agreement and then say that because you did not discuss it today, so we have signed it. This is the position. Then, extend the House and let us discuss it.

[Translation]

SHRI NITISH KUMAR: Mr. Speaker, Sir, I would like to remind one thing to the Government, you would also remember it that the Government had made a commitment to take Parliament into confidence before making an agreement you may please see the records of Parliament. They made this commitment on the floor of the House and today, whatever is being stated by the hon. Prime Minister by that, he is going back to this commitment.

[English]

SHRI SRIKANT JENA: We are prepared to sit tomorrow. We will cooperate; let us sit tomorrow itself. (Interruptions)

SHRI CHANDRA SHEKHAR: I think the Speaker's observation should be followed by the whole House.

MR. SPEAKER: Which ruling?

SHRI CHANDRA SHEKHAR: The Government is not immune to the Speaker's observation. (Interruptions)

[Translation]

SHRI LAL K. ADVANI: Mr. Speaker, Sir, I think that the reply given by the Government—particularly when the Members of the House have extended their cooperation with such an emphasis is not proper. When the Government can call a special session to discuss the Bill, why not to discuss the Dunkel Proposals. The House should be summoned next week itself. My submission is that if it is not possible to discuss the matter in the House due to certain reasons, I had expected, the hon. Prime Minister should take into confidence the different political parties and their representatives before taking any decision in this regard. Final decision with regard to Dunkel Proposals will be taken by the country.... (Interruptions)

[English]

SHRI P.V. NARASIMHA RAO: Sir, I may also add, I do hope that it will be possible for us to discuss it in the House. But, if that is not possible, for any reason, about which I will inform the hon. Members, I will certainly talk to the leaders of all parties—opposition parties—before taking a decision. (Interruptions)

SHRI VIDYACHARAN SHUKLA: May I add, Sir? As you rightly said, we are not standing here to apportion blame. We have been anxious to discuss this Proposal and the hon. Members on the other side also have been anxious to discuss this Proposal. If we do summon a special Session, we will keep one day exclusively to discuss the Dunkel Proposal in that special Session. (Interruptions)

SHRI SRIKANTA JENA: Sir, the House cannot go hypothetically. He says, "If there is a Session, then the first item will be the discussion on Dunkel Draft." This kind of an

[Sh. Srikanta Jena]

announcement of the Parliamentary Affairs Minister will not serve the purpose. There should be a categorical assurance saying that, "Yes, there will be a special Session to discuss the Dunkel Proposal". Before we discuss it in this House, the Government should not go in for any kind of an agreement about this Proposal. There was a categorical assurance in this House and the Government should not go back from that assurance. *(Interruptions)*

SHRI VIDYACHARAN SHUKLA: Sir, may I put a question to the Opposition? *(Interruptions)* Sir, I would like to put a question to the leaders of the opposition. Let them give one good reason as to why this Dunkel Proposal was not discussed here. When you have been kind enough to propose and allot the time and we have been asking for the discussion, why was it not possible for the House to discuss it? Somebody must tell us this. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: Sir, who will decide the Government business? It is very easy to blame the Opposition. If that is the attitude, then, let us go on. For an indefinite time, let us go on. *(Interruptions)* Let the Minister start the discussion; we shall go on till tomorrow, day after tomorrow. We can go on. ...*(Interruptions)*

SHRI SRIKANTA JENA: Sir, the Parliamentary Affairs Minister said that after the Jammu & Kashmir Resolution, we would start discussion on the Dunkel Draft immediately. *(Interruptions)*

SHRI SAIFUDDIN CHOUDHURY: Sir, let us sit tomorrow to discuss this. *(Interruptions)*

[Translation]

SHRI NITISH KUMAR: Mr. Speaker, Sir we are not speaking futile. Yesterday, Shri Kumaramangalam had assured that tomorrow we will discuss Dunkel Proposals throughout the day. We want to discuss the matter, we are ready to sit throughout the day to discuss Dunkel Proposals but additional items are being included in the list of Business and the Government want to avoid discussion on Dunkel Proposals. We did not think for such an attitude from hon. Prime Minister. It was assured that the agreement would be signed only when the House is taken into confidence. Either a special session should be called or the sitting of the

House should be extended till tomorrow or Monday for this purpose.

[English]

SHRI SAIFUDDIN CHOUDHURY (Katra): We can sit on Monday to discuss this. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: We will start the discussion just now, today itself. Let the Minister start it. *(Interruptions)* It is not the time to score a debating point. Let the Government start the discussion. *(Interruptions)* Let somebody speak from the Government side. *(Interruptions)*

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, you have said. But, may I know whether all those papers have been circulated? Where are those papers? *(Interruptions)* No. They have not been circulated, to my knowledge. *(Interruptions)* Mr. Speaker, Sir, the Minister should speak, after verifying. *(Interruptions)*

MR. SPEAKER: Let me know.

*(Interruptions)*

SHRI VIDYACHARAN SHUKLA: We will start the discussion just now. Let us start the discussion; and we will see how long it goes. We will like to sit. Sir, I request you to kindly allow the discussion on the Dunkel Proposal right now. *(Interruptions)*

SHRI SRIKANTA JENA (Cuttack): We accept it and we are prepared to sit overnight also.

MR. SPEAKER: No, no. Your sitting is not important. Your making contribution is important.

*(Interruptions)*

SHRI JASWANT SINGH (CHITTORGARH): Mr. Speaker, Sir, if I have your permission to make a submission, I do not think that combativeness is necessarily the best attribute of the Minister for Parliamentary Affairs. The Minister for Parliamentary Affairs in a very combative manner has said: firstly, let us establish the responsibility for the reason why Dunkel has now been.....

MR. SPEAKER: Nobody is combating. Now, everybody is fatigued.

*(Interruptions)*



MR. SPEAKER: Nobody is blaming. You are not blaming the Opposition. You are not blaming the Government. Probably you are trying to say that it could have been discussed.

SHRI JASWANT SINGH: No, I am not. I am making a general observation that combativeness is not necessarily the best attribute of the Minister for Parliamentary Affairs.

Secondly, this is not the question.

[Translation]

It is not a wrestling ground, let the discussion be started just now and we will see how long it continues. It is an important subject itself and we are not here to play Kabaddi.....(Interruptions).....Hon. Minister, please let me complete my submission, then only you may speak. I have seen such Ministers of Parliamentary Affairs who speak just to interrupt the Members....(Interruptions).....

[English]

MR. SPEAKER: I will decide now. My information is that more than 500 copies were received by this office. They were put at the counter. I think, the bulletin was issued about it.

(Interruptions)

MR. SPEAKER: Let me know when you finish it.

(Interruptions)

SHRI CHANDRA SHEKHAR (Ballia): I am sorry that I did not know that it has been circulated. But the whole thing is how seriously we take up this subject. If the Government wants to have the formality of discussion just now, I do not know why the Members in the Opposition should try to discuss it. If they have decided to sign that proposal without discussion or without knowing the view of the country, sign it. (Interruptions) Even then, you can criticise it because from the statement of the Prime Minister and..... (Interruptions)\*.

MR. SPEAKER: I will go through the record.

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): It is unparliamentary.

SHRI CHANDRA SHEKHAR: Mr. Speaker, I am not going to learn parliamentary manners. But if anything is unparliamentary, I shall immediately withdraw it. (Interruptions) Do not try to teach me what parliamentary language is. (Interruptions) I say, it is.....and I say, it is 'parliamentary'. (Interruptions) Mr. Speaker, Sir, I say, it is..... (Interruptions).

I could have used harsher language if Mr. Vidya would not have been my personal friend. I used this language deliberately knowing that this is parliamentary and this is the minimum that could have been said about him. But I want to say Mr. Speaker, that let us not try to give a message to the world that on such a serious matter, we are taking such a frivolous view. I do not know why Opposition members want to discuss this matter, in such a way, where..... (Interruptions).

[Translation]

MR. SPEAKER: All the persons need not speak.

(Interruptions)

MR. SPEAKER: Hon. Mr. Nitish, please do not give a running commentary, it is not good.

(Interruptions)

[English]

MR. SPEAKER: Mr. Nitish, you are disturbing all the time. I am sorry to say this on the last day. Please have a little patience.

SHRI VIDYACHARAN SHUKLA: Sir, may I clarify that we are very serious about discussing this matter? We are serious about discussion in the House and I was only saying that this has been put on the agenda in the hope that we will be able to find enough time to discuss

\*expunged, as ordered by the Chair.

[Sh. Vidya Charan Shukla]

it. The BAC has been pleased to decide about allotment of time for such a discussion. If the hon. members do not want to discuss it, I am not insisting on the discussion. I am only suggesting that in case if the discussion can be held, the Government is ready; the Minister is ready with his proposal; papers have been circulated. If the House so decides and if you so permit, we will discuss it. The decision otherwise is we are ready for it. *(Interruptions)* To say that we are not serious about the matter is not correct. We are very serious about this discussion and we attach the highest regard and value to the views expressed in the House. That is why, we would like to have the views of the hon. members of this House and the other House before we finalise it.

MR. SPEAKER: I think this is not being discussed because of Mr. Nitish Kumar's running commentary on this.

[Translation]

SHRI NITISH KUMAR: We thought that this stand is being taken to postpone the party meeting.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): These tactics were used during your time and in the parties of Shri Devi Lal and Shri Vishwanath Pratap Singh. We do not adopt such tactics.

[English]

MR. SPEAKER: If I get a slip from the Parliamentary Affairs Minister that nobody is going to speak, then I will speak.

Well, today is the last day and the parting should be very sweet and not with abrasive feelings. I am sure that everybody in the House wants to discuss this matter, more so the Government because when it was raised by Mr. Vajpayee that it should be discussed, he not only said that it should be discussed but the initial stand of the Government should be made known to the Members. I did say from the Chair that the initial stand of the Government should be made known and I am sure that not only this but there are three booklets which were circulated. It may be that they might not have reached some members. But they have been circulated it. That means the Government is particular about discussing it and the Government stands to gain from the discussion because when the discussion takes place, the stand of the Government will be made known

to the people of the country and there will be less possibility of any misapprehension on the stand of the Government about the Dunkel proposals. It is not only that but when the Government goes to discuss the Dunkel proposals in GATT and other forums, Government is backed by the feelings of the members and Government's hands are also strengthened. I am sure this view is known to all of us and nobody is shirking from the discussion on this point. I would like to say that I am sure that the agreement may not be signed before the next session because next session is likely, if nothing comes in between, to be in November and December. So, we will have the opportunity to do that. I am sure the Government's hands should not be tied down and Government should not be told not to negotiate. Negotiation is different from agreement. So, let them negotiate and let them find out the stand of other countries.

If it becomes necessary for us to sign the agreement before the next Session is held, if we get the information from the Government that this is likely to be so, then we may facilitate the discussion on the floor of the House also. Let us not have any two opinions on that point. But I am sure, international negotiations are such that they are not likely to take place so soon and a final proposal is not likely to be ready so soon. That is why, please do not have any apprehensions on that point. But difficulty arises when you take a political stand. Difficulties arise when you try to apportion blame. But difficulties will not arise when unitedly, we want to decide the matter. I am sure that the Government wants your strong support. I am sure you will give that unstinted support to the Government's stand because there cannot be two opinions when it comes to national interest and the stand that has to be taken by us. So, let us not have any apprehensions on that. Let us not think that the Government is not ready to do it. We will do it.

*(Interruptions)*

MR. SPEAKER: I think we will have an agreement on Nitish Kumar's commentary too!

Now, with this, we may conclude. If you want to say something, please do so.

SHRI P.V. NARASIMHA RAO: Are we finally not discussing the Dunkel proposal?

MR. SPEAKER: I feel we need not discuss it now.

18.32 hrs.

## VALEDICTORY REFERENCES

*[English]*

THE PRIME MINISTER (SHRI P. V. NARASIMHA RAO): Sir, I rise to thank the hon. Members for the way they have contributed to his rather turbulent session. And I would also like to compliment you, Sir, on the manner in which you have conducted the business of the House in spite of turbulence and in spite of quite a few moments of tension. This is the way democratic institutions function. Since we are adjourning the Session, I would like to give my compliments and also my best wishes for a very good inter session period which is what we will expect. We will have many important occasions and events perhaps during the inter-session period.

I would also like to thank the staff of Parliament for their hard work and the press for their full cooperation in reporting the proceedings.

*[Translation]*

SHRI LAL K. ADVANI (Gandhi Nagar): Hon. Mr. Speaker, Sir, my senior colleague and the leader of Opposition Shri Vajpayeeji is not here. He has gone to Lucknow today, in the morning due to the sudden demise of a colleague.

With the Prime Minister I also thank all of you for your full co-operation in this session. This Monsoon Session will remain a memorable session from its beginning to the end.

SHRI P. V. NARASIMHA RAO: Because of its thunder and noisy scenes.

SHRI LAL K. ADVANI: My view point is that during this session the leader of the Opposition was changed and there was a time when it so appeared that the leader of the House will also change. The last week was also memorable, there were two incidents when discussions were stopped and later suspended. On the whole it was a good Session. Especially for the reason that after a long time it was the first session in which Question Hour was not disturbed. Question Hour was held daily without any hindrance and there were very few occasions when Members tried to gather in the Well of the House. There were few such occasions and it will be good for the House if these could be reduced gradually. But on the whole this Session could be called satisfactory, at least I can express my satisfaction over it. I thank you, your Secretary, all

your colleagues and all the Members for their Co-operation, and contribution in the present Session.

*[English]*

SHRI SOMNATH CHATTERJEE (Bolpur): Speaker, Sir, I agree with all that has been said here. I wish to express our sincere thanks to you in the manner in which you have conducted business and presided over the deliberations. I wish to thank the Secretariat and also the Press. There has been no doubt some turbulence, as the Prime Minister has referred to, but probably he is going to face more turbulence immediately after we rise. *(Interruptions)*

SHRI KODIKKUNIL SURESH (Adoor): You need not bother about that.

SHRI SOMNATH CHATTERJEE: Mr. Speaker, Sir, one thing I am sure, whatever turbulence is there and whatever difference of opinion is there, everybody will agree that every Member tries to put forward views which will ultimately help the nation as a whole. This should be the objective and I am sure we are guided by that consideration. Obviously, our ways are different, our programmes are different, otherwise, we will not have different political parties. That is the glory of this House. My only regret is that in this Session we could not pass the Religion Bill.

I see here that the hon. Prime Minister is being disturbed by the powerless Power Minister. There is no power in Delhi. Everybody is complaining about it. Why do you disturb the Leader of the House? I think you are functioning only here and not outside.

I request that a Special Session should be called and properly drafted Constitution (Amendment) Bill and other Bills be passed. The Dunkel proposal also should be discussed in this Special Session.

Of course, there is a change in the Leader of Opposition. That is their own internal affair. I do not know what will happen to this Government also after today's meeting.

SHRI ERA ANBARASU (Madras Central): You have no business to comment on this.

SHRI SOMNATH CHATTERJEE: You have no sense of humour. *(Interruptions)*

All right. I do not bother about the Congress Party at all.....\*

MR. SPEAKER: Those words will not go on record.

*(Interruptions)*


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\* expunged, as ordered by the Chair.

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): With due respect to you, I think that sort of language is not called for.

SHRI SOMNATH CHATTERJEE:.....\*

MR. SPEAKER: That will not go on record.

*(Interruptions)*

SHRI SOMNATH CHATTERJEE: I believe we have been able to dispose of many important legislations. We have had discussions on various important subjects and I am sure in future also, with your guidance, we shall be able to perform better. In spite of the obstructions of the present Parliamentary Affairs Minister, we shall be able to achieve significant progress in future.

*[Translation]*

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, there has been a tradition to express such feelings at the end of a Session. Hon. Prime Minister has said that the Session was turbulent. Turbulent is called "hangami" in Hindi. It was a turbulent session from the beginning to the end. Even today, newspapers are full of such news items. As the Prime Minister has also said and we also hope that inter-session period will remain peaceful, and I hope that the country do not have to face the drought situation and I also hope that there will be plenty of rainfall in those areas where there has been less rainfall during this season.

Lot of work has been done during this session. Mr. Speaker, Sir, in the beginning of this session you were worried about it but the way in which the Opposition has worked during the session they should be thanked by the leader of the House. The opposition has discharged its responsibility properly. We helped the Government in its working by sitting late and we were ready to sit late even today.

Mr. Speaker, Sir, now this House is going to adjourn and you have made observations on some specific subjects, especially on the implementation of Mandal Commission's recommendations. I hope that Mandal Commission's will be implemented during inter-session period. Hon. Prime Minister today, a meeting of your party, is going to take place. Congress party can take any decision but I hope that the Tenth Lok Sabha will continue in next session also. With these words I conclude my speech.

*[English]*

MR. SPEAKER: Honourable Members, the Seventh Session of the Tenth Lok Sabha comes to a close today. Throughout the Session, you used to make longer speeches, I used to enjoy them. At the fag end I would be making a little longer speech and I hope that you would show me some indulgence. Because I would be reporting on the business transacted in the House.

During this Session, which commenced on 26th July, 1993, the House held 24 sittings lasting over 160 hours. On the first sitting of this Session, a Motion of No-Confidence in the Council of Ministers was moved. The discussion on the Motion was taken up on that day which spread over three days. On 28th July, 1993, after Division, the Motion was negated by the House. 460 Questions were listed as Starred of which 120 could be orally answered and written replies were given to 4908 Questions. Two Half-an-Hour Discussions were also taken up. 20 Statements on important matters were made by the Ministers while 127 matters were raised under Rule 377. Two Calling Attentions regarding delay in the implementation of Supreme Court's directions in the matter of capitation fee being charged for admission to medical and engineering Colleges in different States, particularly, in Karnataka and issue relating to Narmada Sardar Sarover Project for review and rehabilitation measures were also taken up.

Coming to the legislative business, 15 Bills were introduced in Lok Sabha. 20 Bills were passed by the House, important among them being the National Commission for Safai Karamcharis Bill, 1993; the Recovery of Debts due to Banks and Financial Institutions Bill, 1993; the Consumer Protection (Amendment) Bill, 1993 and the Constitution (Seventy-Seventh) Amendment Bill, 1992.

\*Expunged, as ordered by the Chair.

During the last Session, Demands for Grants of various Ministries were examined by these Committees and their reports were presented to the House. During this Session, 16 Bill were referred to these Committees by the Presiding Officers of the two Houses for examination and report and 10 Reports were presented or laid.

Coming to financial business, balance Demands for Grants in respect of Jammu and Kashmir, Uttar Pradesh, Madhya Pradesh, Rajasthan and Himachal Pradesh, which are currently under the President's Rule, were discussed and voted. Supplementary Demands for Grants pertaining to the General Budget and Railway Budget for the year 1993-94 and also Excess Demands for Grants (General) and (Railways) for the year 1989-90 were also discussed and voted.

Three Short Duration Discussions under Rule 193 were held—One related to the situation arising out of the recent floods in various parts of the country, second, on drought conditions prevailing in different parts of the country and the third, on the Socio-Economic criteria for exclusion of the "Creamy Layer" from "Other Backward Classes.....".

The Private Members continued to evince keen interest in bringing forward Bills and Resolutions in the House. 23 Bills on a variety of subjects were introduced by them. A Bill seeking to provide for the payment of minimum wages and for welfare of agricultural workers moved by Shri Chandubhai Deshmukh was discussed at length and the Honourable Minister assured that the Government proposes to bring forward a comprehensive Bill on the subject in due course. However, the Bill was negatived.

The debate on the other Bill seeking to amend the Constitution with a view to providing that all laws affecting any religion which have come into force after 1st July 1991, shall be void and, in future, any Bill affecting any religion shall be passed by two-thirds majority and shall also be ratified by half of the State Legislatures was moved by Dr. Laxmi Narain Pandey remained inconclusive.

A Private Members' Resolution seeking to create new States of Uttaranchal and Vananchal by Shri Jagat Vir Singh Drona afforded ample opportunity to large number of Members to present their view on the issue. The Resolution was, however negatived.

The Debate on the other Resolution seeking framing of a Uniform Civil Code initiated by Smt. Sumitra Mahajan remained inconclusive.

As desired by the House on 3rd August 1993, the Attorney-General was invited to attend the House on 4th August 1993 to give his opinion on:

- (i) the scope and extent of disciplinary authority of the Election Commission in respect of officers and staff deployed for election work; and
- (ii) scope and extent of authority in the matter of deployment of forces to maintain law and order to ensure free and fair elections, keeping in view the constitutional and legal position that maintenance of law and order is primarily the State subject.

I permitted some Members to ask clarificatory questions and the Attorney General replied thereto.

On 9th August 1993, a meeting of the Members of both the Houses of Parliament was held in the Central Hall to mark the conclusion of the celebrations of the 50th Anniversary of the Quit India Movement and to pay homage to the Martyrs of the Freedom Movement. It was addressed by the Honourable Vice President and Honourable Prime Minister of India. It was attended by the Freedom Fighters, Honourable Members of Parliament and other dignitaries and Members of the Diplomatic Corps.

On the 20th of August 1993, the Portrait of Former Prime Minister, Shri Rajiv Gandhi, was unveiled in the Central Hall by Respected Rashtrapatiji. The portraits of two other former Prime Ministers are also to be unveiled. It has also been decided to put up the statues of other great political leaders and Parliamentarians in the Parliament premises.

The Parliament could telefilm the proceedings on important issues.

The Standing Committee System could be started and is now in vogue. The administrative and other matters could now be done in a bit more modernised manner.

I am happy to mention that the project of constructing the Parliamentary library building

was approved at the Government and Parliament's level and the work on the same would be started in the immediate future. The library building would provide facilities to store the books, audio and video films, and the reading and hearing and watching rooms and cubicals, the Committee Rooms and an Auditorium. It would help the Parliamentary activities to be conducted in a more modern and effective manner.

In this session, attempts were made to reduce the time taken by the Members to ventilate their views on the unlisted items of the Business. With the cooperation of the Members, Party Leaders and others concerned, it was possible to reduce the time to the acceptable minimum.

On some days, that could be done in an excellent manner. On a few other occasions, that slipped and more time was consumed. The time thus saved was available to the Members to speak on other important topics. We hope that the cooperation in this respect would be forthcoming in a more useful manner in future also, and the objective which was set by us to use the time in a more appropriate fashion would be fulfilled.

The Parliament Sessions provide opportunities and facilities to the Executive to get the laws, Budgets and Policy matters approved and passed, provides opportunities to the Members of the Parliament to hold the Executive accountable and to criticise, guide and advise them. In the process, the opinions and views of the people are expressed through their representatives.

More than that, in the Sessions, the shocks penetrated in the Society are felt and absorbed, giving sustenance, strength and survivability to the system of Democracy and the Parliament.

Strong words and expressions and at times, actions may be used and taken. And yet, the basic underlying understanding of the common objective of the governance and democracy is not forgotten and the amity is not disturbed, beyond a particular limit. That is the essence

of democracy and the parliamentary system. It should be protected and preserved at all cost. It appeared to be done in this short but very intense session, for which all deserve appreciation and kudos.

Finally, I take this opportunity to thank all the hon. Members for the kind cooperation extended to me and my colleagues—hon. Deputy Speaker and the Members of the Panel of Chairpersons in the smooth conduct of the Business of the House—Shri Nitish Kumar included.

I would specially like to thank the Leader of the House, the Leader of the Opposition, the Leaders of various Parties and groups, as well as the Whips for the unstinted cooperation and courtesy extended to us without which our task would not have been easy.

✓ We would like to express our appreciation and thanks to all the officers and others who worked to make the functioning of the Parliament a meaningful and enjoyable exercise. ✓

I would like to thank the press also. But for them, what is discussed would not reach the people and they have done well. We would provide more facilities to them to do their duties.

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MR. SPEAKER: Now the hon. members may stand up for 'Vande Mataram'.

## NATIONAL SONG

*The National Song was played*

18.52 hrs.

MR. SPEAKER: The House now stands adjourned *sine die*.

18.54 hrs.

*The House then adjourned sine die.*

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