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[Shri D. Sanjivayya]

the Note of Dissent, and hence this Bill is going to harm the workers.

I agree that certain portions of the Bill like payment of 4 per cent bonus may do good to some classes of workers.

Mr. Speaker: Merits cannot be gone into at this stage.

Shri S. M. Banerjee: I oppose the Bill, and request the hon. Minister to withdraw it. I suggest that the Bill should be sent out for eliciting public opinion.

13 hrs.

Mr. Speaker: Has the Minister got anything to say?

Shri D. Sanjivayya: No, Sir.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the payment of bonus to persons employed in certain establishments and for matters connected therewith."

The motion was adopted.

Shri D. Sanjivayya: Sir, I introduce the Bill.

13.01 hrs.

STATEMENT RE: PAYMENT OF BONUS ORDINANCE

The Minister of Labour and Employment (Shri D. Sanjivayya): Sir, I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Payment of Bonus Ordinance, 1965, as required under rule 71 (1) of the Rules of Procedure and Conduct of Business in Lok Sabha. 13.02 hrs.

MOTION RE: INDO-PAKISTAN AG-REEMENT ON GUJARAT-WEST PAKISTAN

Mr. Speaker: The Prime Minister

Shri U. M. Trivedi (Mandsaur): On a point of order, . . .

Shri Hem Barua (Gauhati): Sir, . . .

Mr. Speaker: Even before the Prime Minister has moved the motion?

The Prime Minister.

The Prime Minister and Minister of Atomic Energy (Shri Lal Bahadur Shastri): Sir, I beg to move ...

भी हुकम चन्द कछवाय (देवास) मैं इसके बारे में एक वान कहना चाहता हे.....

मध्यक्ष महोबय : जो ग्रपोड करता है उसी को मौका दिया जा सकता है ।

भी मधुलिमये (मुंगेर) अध्यक्ष महोदय. इस पर मेरा आक्षेप है ।

ग्रध्यक्ष महोदय : ६स नरह में बीच में बोलना ठीक नहीं है। जब मैंने उन्हें बुलाया है तो उन्हें सुनने दिया जाये ।

Shri Lai Bahadur Shastri: Sir, I beg to move:

"That the statement laid on the Table of the House by me on the 16th August, 1965, on the Indo-Pakistan Agreement of June 1965 relating to Gujarat-West Pakistan border be taken into consideration."

भी मधु लिमये: मैंने पहले ही कहा है कि मुझे एक व्यवस्था का प्रश्न उठाना है...

भ्रध्यक्ष महोदय : इस तरह में बीच में बोलना कौन सा कायदा है ?

Shri U. M. Trivedi: My point of order is this.

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Mr. Speaker: Shri Hem Barua had earlier informed me and I promised him an opportunity. Let me hear him first.

जी मचुलिमचे: जब वह पढ़ रहे थे झौर मैंने बोलना चाहा था तो झापने कहा था कि बाद में बोलना इसलिए झब मैं झपनी बात सुनाना वाह रहा हं।

भ्रम्थल महोदय: मैंने कह दिया है कि भ्रापकी बात मैं सुनूंगा लेकिन भ्रापको सज्ञ नहीं है। भौर प्राप मेरी बात सुमने को सैयार नहीं है।

भी मधुलिमवेः मैं सुन तो रहाहूं। अल्पक्ष महोदयः कहा सुन रहे हैं ? दखल तो प्राप दिये जा रहे हैं।

Shri Hem Barua: May I submit that the cease-fire agreement had violated certain provisions of the Indian Constitution, has overridden the authority of Parliament and by-passed certain assurances given by Government on the floor of this House. May I draw your attention to article 3 of the Indian Constitution which gives the right to Parliament to Increase or diminish the area of any state or alter the boundaries of any State. Article 3 gives this right to Parliament. Then, may I draw your attention to the first schedule of the Indian Constitution which lays down the boundary of the State of Gujarat. These are the two principal things to which I would draw your attention. I would first inyour attention to the vite Indo-Pakistan agreement on Gujarat-West Pakistan border that was circulated to us last evening by your office or, possibly, the Department of Parliamentary Affairs. Article 3(1)(b) of this agreement recognises Pakistan's claim to 3500 square miles of territory in the Rann of Kutch. Never were we told on the floor of this House about the exorbitant claim of Pakistan to 3500 sq. miles of territory. At the same time, Government, by being a party to this agreement, feel that if necessary Government are ready to surrender, maybe 3500 square miles or less of our territory to Pakistan. We were told on the floor of

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this Parliament times without number, and the words that our Prime Minister used were, demarcation of the border. We never heard any other word except this phrase, demarcation of the border. May I draw your attention to the cease-fire agreement where the word 'determination' is used as many as four times, one time in the preamble and three times in the body of the text of the cease-fire agreement itself. My submission is that determination does not convey the idea of demarcation. Determination is much more comprehensive. It might mean realignment of the border, territorial adjustment; it might mean redrawing of the boundary. It means so many things.

Mr. Speaker: He should formulate the points of order.

Shri Hem Barua: I am doing it by stages. This is an instance where our Government has by-passed the assurances given on the floor of this House.

I would draw your attention then to the most potentially dangerous-T would say-sphere in the agreement. There is a proposal to constitute a Tribunal Article 3(iv) of the agreement provides that the decision of the tribunal referred to in article 3(iii) shall be binding on both Governments and shall not be questioned on any ground whatsoever. The ordinary procedure adopted by the international law commission in relation to international tribunals has been that the award of an international tribunal can be challenged if (a) it violates the terms of reference, (b) if any of the members of the tribunal can be accused of corruption and (c) if it fails to give reasons for the tward and if it departs from certain fundamental procedures. But here is an agreement that binds the Government and Parliament also. When you have words like this, that the verdict shall not be questioned on any ground, whatsoever, I say that this Parliament also does not have the right to question the verdict of this tribunal-God forbid-if the verdict goes against. Where have you the right? Article 253

says that Parliament has the right to make laws. In this case except to put the rubber stamp of approval on the verdict of the tribunal, this Parliament is divested of all its powers to question the verdict of the tribunal. It is a very dangerous provision included in this cease-fire agreement. When this provision is read pari passu with the other provisions recognising the claim of Pakistan to 3500 square miles of our territory in the Rann of Kutch and the Parliament does not have the right to question it as the verdict is final and binding-they have used these words-where do we stand? This is over-riding the authority of Parliament by our Government by its being a party to this cease-fire agreement that contains these two provisions and as Mr. Kamath rightly says, the supremacy of Parliament is challenged.

Mr. Speaker: I request the hon. Member to confine himself to the points connected with his point of order. He is arguing certain things that can be discussed later on.

Shri Hem Barua: I am concluding in a minute. There is the status quo ante on which the cease-fire agreement is based. May I point out that the Government of India had lodged a protest on 20th February, 1965 and I would ask the External Affairs Minister to rake up his files and find out that protest note. There is the traditional boundary, not this truncated one

Mr. Speaker: It is not the point of order; he is discussing the merits.

Shri Hem Barua: I have cited these instances. So, it is my contention that the cease-fire agreement has violated the authority of Parliament granted to it under the Indian Constitution, articles 2 and 3. And then, it over-rides the authority of Parliament. Then, it by-passes the assurance given by the Government to us in Parliament. This is my point of order. श्री मधु लिमये : संविधान के बारे में श्री हेम बल्झा ने जो कुछ कहा है, उसका मैं समर्थन करता हूं भौर मेरा ख़याल है कि उस पर इस सदन को फ़ैसला करना चाहिए। यह ग्रदालत का मामला नहीं है---यह सदन के ग्रधिकारो का मामला है।

प्रष्यक्ष महोदय : मैं भी यही समझ्ता हूं कि यह सदन ही इस बारे में फ़ैसला करेगा— मैं इससे इत्लिफ़ाक करता हूं। माननीय सदस्व का प्वाइंट ग्राज ग्राइंर क्या है?

भी मधुलिमये : संविधान को लेकर उनका जो माक्षेप था, मैं उसका समर्थन करता हूं ।

जो प्रस्ताव सामने ग्राया है, उसमें कहा गया है कि प्रधान मंत्री जी का जो बयान है ग्रीर कच्छ के सम्बन्ध में जो करार किया गया है, उन दोनों पर विचार किया जाये। यह जो बयान हमारे सामने ग्राया है, इसमें गलतब्यानी ग्रीर ग्रसत्यभाषण है। मैं उसकी ग्रीर ग्रापका घ्यान दिलाना चाहता हूं ग्रीर ग्राप से निवेदन करना चाहता हूं कि उसके कारण ग्राप प्रधान मंत्री जी को इस प्रस्ताव को रखने की इजाजत न दें। इसमें गलत-बयानी तो यह है कि

प्रध्यक्ष महोवय : में माननीय सदस्य को रोकना नहीं चाहता हूं, लेकिन प्रगर इस बयान में प्रसल्य भी लिखा हुमा है, तो भी यह मेरा म्रस्त्यार कहां है कि मैं उनको कहूं कि वह इस प्रस्ताव को नहीं रखा सकते । जब इस हाउस में इस बारे में बहस होगी, तो माननीय सदस्य कह सकते हैं कि यह ग्रलत, हठ गौर प्रसल्य है ।

भी मचुलिसमें : क्या ग्रसत्य प्रस्तावों को द्याप यहां पर रखने देंगे ? मैं घापको बताता हं कि कहा प्रसत्य है ।

भ्राम्यक्ष महोदयः बहस के बाद यह हाउस देखेगा भौर फ़ैमला करेगा कि ग्रामत्य

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हैयानहीं। यह फ़ैसला मैंने नहीं करना है। यह नहीं ही सकता है कि माननीय सदस्य कहें कि इसमें झसस्य है, तो मैं यह फ़ैसला दे दूं कि यह झसत्य है झौर इसलिए उनको यह प्रस्ताव रखने की इजाजत न दूं।

भी मधु लिमये : 3 मार्च को इस सदन के सामने सरदार स्वर्ण सिंह ने मौर राज्य सभा में श्रीमती लक्ष्मी मेनन ने एक बयान पेण किया था, जिसमें बताया गया था कि कच्छ में पहली बार पाकिस्तानी लोगों का श्राकमण 25 जनवरी को हम्रा। इसी बयान के ग्राधार पर इस सदन के कई सदस्यों की यह राय हो गई कि प्रगर 1 जनवरी, 1965 के पहले की स्थिति कायम हो गई, तो कच्छ का पूरा इलाका झाकमण से खाली हो जायेगा लेकिन ग्रब प्रधान मंत्री जी कह रहे हैं कि बहां पर कुछ इलाके में पाकिस्तानी लोग । जनवरी, 1965 से पहले भी माते थे। यह जो ग्रसत्य-भाषण ग्रीर गलतबयानी मरदार स्वर्ण सिंह ग्रीर श्रीमती मेनन ने लोक-मभा ग्रीर राज्य सभा के सामने की है. उस के बारे में मैं भाप का घ्यान दिलाना चाहता है ।

दूसरी बात यह है कि विल्सन साहब ने, जिन्होंने इस बारे में मध्यस्थता का काम किया था, हाउस भाफ कामन्स में कहा है कि कच्छ के पूरे रण में पाकिस्तानी पुलिस को गक्त लगाने का ग्राधिकार मिलेगा इस की तुलना में यहां पर प्रधान मंत्री जी कह रहे हैं कि डींग-सुराही के बीच में जो सड़क है, पाकिस्तानी केवल उसी पर गश्त लगा सकते हैं, क्योंकि । जनवरी, 1965 से पहले भी वें वहां पर गक्त लगाते थे। लेकिन जो करार हम्रा है, उस में कहीं भी इस बात का जिक नहीं है कि केवल डींग-मुराही की सडक पर पाकिस्तानी गम्त लगाने का काम कर सकेंगे। प्राखिर हम लोगों को कैसे मालम होगा कि किस पर हम बहम कर रहे हैं भीर भपनी राय दे रहे हैं।

इस करार के कुछ शब्दों को प्राप जरूर देख नांजिए । मैं भ्राप का ध्यान नम्बर 4 की ग्रांर दिलाना चाहता हु। उसमें यह कहा गया है कि 1 जनवरी, 1965 के पहले जहां गण्त लगतां थी, वहीं पर गण्त लगेगी, लेकिन करार में कहीं नहीं बताया गया है कि कहां गश्त लगती थी, जब कि शास्त्री जी भ्रपने बयान में कहते हैं कि डीग-मुराही का जो रास्ता है, जो सड़क है, केवल उसी पर गक्त लगाने का उन को भ्रधिकार मिलेगा। जैसा कि मैंने कहा है, करार में यह बात बिल्कूल नहीं माई है। जैसे 25 जनवरी को एक झूठ, ग्रसस्य, यहां पर बलाया गया, हा सकता है कि वैसे ही कल इस बात का भी पता चलेगा । खासकर मैं विरुसन साहब के हाउस माफ़ कामन्म में दिये गए बयान की रोशनी में प्राप के सामने यह बात रखना बाहता हूं।

इसलिए माप की मार्फ़त शास्त्री जो से मेरा यह निवेदन है कि वे इस प्रस्ताय को वापस ले लें, इन वातों की सफ़ाई करें प्रौर फिर अपने प्रस्ताव को लायें प्रौर उसके बाद उस पर यहां बहस हो।

भी उ०मू० जिवेबी : मध्यक्ष महांदय, मेरा निवेदन सिर्फ़ इतना ही है कि धगर यह प्रस्ताव उपस्थित किया जाता है, ना क्या यह प्रस्ताव उपस्थित करने से हमारे प्रधान मंत्री, थी लाल बहादूर जारत्री. इस हाउस के प्रिविलेज का इतिय ब.रने हैं या नही, यह प्रम्न हमारे सामने प्रान्त 8 । जब मैंने यह प्रस्ताव 171 ग्रीर उस पुराने प्रस्ताब पर भी मैन विचार किया, जो पहुंचे इस सदन के सामने रखा गया था भौर जिस में यह कहा गया था कि हम अपनी जमीन का एक इंच का ट्कटा भी नहीं देंगे, तो मुझे ऐसा मालम पड़ा कि हमारे प्रधान मंत्री जी ने इस हाउस को म्यालता दिया है। प्रगर उन के दिल में "स्टेटस को एन्टी" का कोई आत्म प्रथं [श्री उ० मू० क्रिवेदी]

ग्रर्थ था म्रौर वह यह था कि हमारा रक्षा दल, हमारी मार्मी, हमारी फ़ौज, हमारे क्षेत्र में नहीं जा सकेगी, वह वहां कभी नहीं गई थी ग्रीर कभी जाने का उस का म्राधिकार नहीं था, तो यह बात उन को सदन के सामने कहनी चाहिये थी। उन को इस सदन को यह बताना चाहिए था कि "स्टेटस को एन्टी" से मेरा मतलब यह है कि हमार∂ रक्षा दल, हमारी फीज, हमारे ही क्षेत्र को सीमा में कहीं भी धुमने का ग्राधिकार नही रखती है। इस मदन में हम लोग ''स्टेटस को एन्टो'' ज्ञब्द का मतलब यह समझ रहे थे कि हमारे देश को साविरेन्टी ग्रीर सार्वभौमिकत्व के ग्राधार पर हम ग्रापने रक्षा दल को कही पर भी भेजने का प्रधिकार रखते हैं।

इतना होते हुए भी ग्रगर प्रधान मंत्री जीने "स्टेटस को एन्टी" शब्द का मर्थ वह मन्जुर कर लिया है, जो इस एग्रीमेंट में लिखा हमा है, कि हमारी सेनामें उस इलाके में नहीं जागगी, बहां पर सिर्फ़ हमारी सिविल जन्दस रहेंगी— जो क्षेत्र हमारा है, उस हमारी फौज नहीं जा सकेगी तो मेरा से यह निवेदन है कि इस सदन के साथ ाख। किंगा गया है, विश्वासधात किया गया है, सस को मुग़ालते में रखा गया है ग्रगर इस सदन को मुगालते में रख कर यह कार्यवाही की गई है, तो मेरा भाष से यह करबद्ध निवेदन है कि यह बिल्कुल ग्रलत बात है भौर उसले हमारे सदन की मान-हानि ब ५ ५ ८ ्र १ तें इस बारे में ग्राप की राय बाहुगा, ग्रापकी गाइडेंस चाहूगा कि जो कुछ मैं कह रहा हूं, वह सिद्धान्ततः सही है या ∴हीं ग्रीर ग्रगर वह सही है, तो उस पर योग्य विचार कर के बीच प्राफ़ प्रिविलेज की कार्यवाही की जाये।

झभ्यक्ष सहीदयः क्या माननीय सदस्य ने भो द्वीच झाफ प्रिविलेज का नोटिस दिया है, जो बह इस पर ग्रार्थ्यु कर रहे हैं ? भी उ० **मू० त्रिवेदी**ः यहपढ़ कर मेरे घ्यान में श्राया है । ग्रगर ग्राप कहेंगे, तो मैं नोटिस दे दूंगा ।

ग्राम्यक्ष महोदयः मैं कैसे कह सकता हुंकि ग्राप नोटिस दें ?

भी उ०मू० त्रिवेदी : मेरा दूसरा प्वायंट ग्राफ ग्रार्डर यह है कि कांस्टीट्यूणन के झाधार पर हमारी सीमा को परिवर्तित करने का भ्रधिकार इस पालियामेन्ट के सिवाय किसी को नहीं है। जब बेरुबाड़ी का सवाल पैदा हम्रा था, तो उस केस की बहस के वक्त मैं भी एक वकील था। उस वक्त यह प्रदन उठाया गया कि भ्राया इस पालियामेन्ट के सिवाय दूसरी किसी भी शक्ति को यह मधिकार है कि वह हमारी एक इंच भूमि भी किसी दूसरे को देसके । उसके निर्णय के ग्राधार पर हमारे कांस्टीट्यूशन के सम्बद्ध म्रार्टीकल में संशोधन किया गया । उस के बाद स्थिति यह है कि पालियामेन्ट को षुछे बिना पार्लियामेन्ट की राय के बिना, हमारी एक इंच भूमि भी किसी दूसरे देश को नहीं दी जासकती है ।

प्रक्षन यह है कि यह जो एग्नीमेन्ट हुआ है, वह संविधान के मनुसार न होने की वजह से क्या उस पर इस सदन में विचार किया जा सकता है। प्रधान मंत्री ने पहले ही हमको बंधन में डाल दिया है कि हमने यह एग्नीमेन्ट मंजूर कर लिया है। उस एग्नीमेन्ट के माधार पर हमारी जमीन दूसरे देश के पास चली जायेगी। जब प्राइम मिनिस्टर ने पालियामेन्ट को सारी शक्ति को मन्जूर कर लिया है, तो क्या इस सइन में उस एग्नीमेन्ट पर विचार किया जा सकता है ?

ग्रम्थल महोदयः एक सवाल तो विवेडी साहव ने यह किया है कि यह एक त्रीच झाफ प्रिविलेज हुम्रा है, हाउस के जो विज्ञेषाधिकार

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हैं, उनका उल्लंघन किया गया है। मिनि-स्टर कोई स्टेटमेन्ट गलत की करते हैं, झगर गलत स्टेटमेन्ट भी हो तो भी बीच झाफ प्रिविलेज नहीं होता है जब तक साथ यह न हो कि उन्होंने जान बूझ कर हाउस को मिस-लीड करने की कोशिश की है। झाया ऐसी कोई स्थिति है, यह पता चलेगा जब हम इसको डिसकस कर लेंगे, उसके बाद।

दूसऱा सवाल उन्होंने [किया है कि जबसे हमने यह इकरारनामा किया है, एग्नीमेन्ट किया है....

भी बड़े (खारगोन) : स्टेटस कौ एंटी ।

भी भौंकार लाल बेरवा (कोटा) : एवीमेन्ट से पता वल जाता है।

भ्रष्यक्ष महोदयः यही डिसकशन में बात भ्रायेगी भ्रौर इसको दुर्तेगे तो पता चल जगरगा।

भी मधु लिमयें : जान बूझकर किसे कहते हैं, इसी पर तो झगड़ा है।

भी बागड़ी (हिसार): जान बूझकर ही झूठ वोले हैं ?

भ्रष्मका महोदयः क्या मुझे इजाजत है कि मैं भी कुछ कह सकूं? मुझे हुक्म दीजिये कि मैं बोल नहीं सकता हूं भौर इससे बाहर नहीं जा सकता हूं।

वी मचु लिभये : मैं कौन हुक्म देने वाला हूं।

भी रामलेवक यावव (वारावंकी) : यही कह रहे हैं कि जान बूझकर झूठ बताया हे ।

भी मधु लिमवे : 25 जनवरी के पहले ही वे माकमण कर चुके ये । यहां पर मूठ बात बताई गई है । गर्म भी नहीं घानी है । मापको माफी मांगनी चाहिये । भी च० ला० चौचरी (महुमा) ः माप गलत बोलते हैं, मूठ कहते हैं, मापको समं मानी चाहिये ।

र्णण्यक महोबय : दूसरी बात यह है कि...

भी बागड़ी : घ्रष्ट्यक्ष महोदय, यह ..

ग्रम्पक्ष महोबय : नेताग्रों को तो नहीं चाहिये कि ऐसी कोई कार्रवाई करें ।

भी रामलेवक बावव : क्या नेता इस तरह से कोई बात कर सकते हैं ? देश को धोखा दे सकते हैं ? गलत बात कर सकते है ?

एक माननीय सबस्य : धब ग्राप खामोशी से सुनें।

भी रामलेकक बादवः खामोकी से क्यों सुनें?

मञ्चल महीबयः इसलिए कि मैं बोल रहा हूं। ग्रगर मेरे बोलने पर भी माप खामोशी घारण नहीं करते हैं तो क्या दूसरे भी न करें?

Shrimati Lakshmikanthamma (Khammam): He is defying the Chair.

झध्यक्ष महीवय : उन्होंने एक यह सवाल उठाया है कि पालियामेन्ट के अखस्यारात छीन लिये गये है । हेम बरुमा साहब ने भी यह साल उठाया है । यह भी डिसकजन में मायेगा कि पालियामेन्ट के मधिकार छीने गये हैं या नहीं छीने...

भ्वी स० मो० वनर्मी (कानपुर)ः यहतो मापको तय करनाहै।

भ्रम्पक्ष महोदयः इस बात को तय करना है पालियामेन्ट ने । गवनेंमेन्ट को भ्रखत्यार होता है कि वह किसी दूसरी गवनेंमेन्ट में कोई एडीमेन्ट करे । भगर वह पालियामेट.. **भी रामेक्वरानम्ब** (करनाल) : सारा देण इसके बारे . . .

म्राप्यक्ष महोदय : म्राप बैठ जायें ।

भी रामेक्वरानन्दः एक मिनट मुझे दे दीजिए . . .

ग्रध्यक्ष महोदय : आप पहले मेरी बात सुन लीजिए ।

एग्जेक्टिव को प्रखत्यार है, जब उसने कंट्री को एडमिनिस्टर करना है कि वह दूसरी गयनमेंट से कोई समझौता करे...

भी रामसेवक यादव : जमीन देने का नहीं है।

धम्यक महोदयः धगर पालियामेंट उसको एपूव नहीं करती है भौर गवर्नमेंट पालियामेंट को साथ नहीं ले जा सकती है तो गवर्नमेंट को बाहर जाना होगा।

भी बागड़ी : पार्लियामेंट को पूछे वगैर जमीन देना बिल्कूल गलत है ।

भ्रष्यक्ष महोदय : यह बात फैसला करने वाली है कि पालियामेंट से पूछे वगैर यह हो रहा है या नहीं । इसको हम डिसकशन में देखेंगे भौर हमें पता चल जाएगा कि क्या कहानी है ।

श्री वागड़ी : कानून क्या है, विधान क्या है ।

भी मचुलिमचेः माप भी तो देख सकते हैं।

भी रामसेवक यादव : 3500 वर्गमील जमीन

भ्रम्पक्ष महोबय : कोई हद होनी चाहिये । मैं खड़ा बोल रहा हूं लेकिन बार बार रुकावट डाली जा रही है। इस पालियामेंट के कार साल बाद भी कम से कम इतना तो हो जाए कि जब स्पीकर बोल रहा हो तो खामोशी से उसको सुना जाए ।

इस वक्त मैं नहीं समझता हूं घोर न ही मैं यह समझता हूं कि मुझे कोई घधिकार है कि इस वक्त मैं कोई फैसला दे कर यह कहूं कि इस पर बहस नहीं हो सकती है। बहस इस पग होगी। प्रधान मंत्री साहब क्रुरू करें।

Shri Lai Babadur Shastri: I would refer to the points raised by some of the hon, members.

भी रामेध्वरानन्वः प्रघ्यक्ष महोदय, प्रापने मुझे कहा द्या प्रौर मैं बैठ गया द्या । प्रव तो प्राप मेरी बात सुन लें। प्रव भी प्राप कहेंगे तो मैं बैठ जाऊंगा।

सरकार को मधिकार होता है दूसरे देश से समझौता करने का, माल मंगाने के लिए, माल भेजने के लिए तथा इस तरह के दूसरे मामलों के बारे में । लेकिन देश की भूमि को कोई भी सरकार दूसरे देश को नहीं दे सकर्ता है । यदि इसी तरह से प्रधान मंत्री देते रहे तो पहले पंडित नेहरू जी ने दे दी थी, मब शास्ती जी दे जायेंगे, फिर भौर कोई प्रधान मंत्री मायेगा ग्रीर वह दे जायेगा । इस तरह से तो हमारा देश मियां जी की दाढ़ी रह जाएगा ।

थी बागड़ी : मध्यक्ष महोदय, ...

ध्रध्यक्ष महोदय ः ग्रीर नहीं ।

भी बागड़ी : सिर्फ एक मिनट ।

मध्यक्ष महोदय : झाप बैठ जाहवे ।

भी बागड़ी : एक मिनट ...

प्रम्यक्ष महोवय : जी नहीं ।

भी बागड़ी : सारा फैसला शांति के वाता-बर के वास्ते किया गया है या दोनों मुल्कों के बीच में जो तनाव है, उसको कम करने के लिए किया गया है । बीस वर्ग मील जमीन से थपनी फौजों को हटाना ग्रौर उस में .. .

भ्रष्यक्ष महोदय : मैंने सोचा था कि किसी साहब को मैं कुछ न कहूं ग्रौर कोई ऐसें। बात न हो कि मुझे कोई एक्शन लेना पड़े । लेकिन मैं मजबूर हो गया हूं । जब मेरी बात को सुनने के लिए तैयार नहीं हैं तो मुझे एक्शन लेना पड़ेगा । मैंने कहा था कि मैं नहीं लेना चाहता हूं । भ्राराम से काम भ्रारम्भ होने लगा था । इतना संजीदा, इतना सीरियस मामला है हाउस के सामने भौर कंट्री के सामने भौर इस पर भ्राराम से भी बहस हो सकती है । एक के बाद दूसरा, दूसरे के बाद तीसरा बोलता ही चला जा रहा है । यह जो सिलसिला है, इसका कहीं तो भ्रन्त होना चाहिए ।

श्वी बागड़ी : एक बात झाप सुन लीजिये । सारे देश का यह मामला है । झाप प्रधान मंत्री को एक बात बता दें कि देश के साथ वे बेवफाई न करें । उनको झाप . . .

धभ्यक्ष महोदय : धाप नहीं बैठते तो मुझे कहना होगा

भी रामसेवक याववः उनकी मातृभाषा हिन्दी या हिन्दुस्तानी है, उस में तो वह बोर्ले। क्यों वह विदेशी भाषा में बोलते हैं? यह बेवफाई तो वह देश के साथ न करें?

भी बागड़ी : प्रध्यक्ष महोदय ...

धाम्यका महोदयः मैं मन नागड़ी जी से कहूंगा कि वह सदन से बाहर चले आयें। मैंने घाप से कहा है कि घाप बाहर चले आयें।

श्वी बागड़ी : मैं बाहर चला जाउंगा । वेकिन मेरी बात को धाप ...

भ्राष्यक्ष महोदय : मैं बहस को मुनना नहीं चाहना हूँ। भी बागड़ी : बहस की संत नहीं है । जब हम धाए हैं इस सदन में तो हमें बात कहने का मौका तो मिलना चाहिये ।

फ्रांभ्यक्ष महोबय : वह बोले चले जा रहे हैं

श्री बागड़ी : कितनी गोलियां चली है, कितने लोग जेलों में गये हैं, दो सौ घादमी घाज भी प्रधान मंत्री की कोठी पर प्रदर्शन कर रहे हैं, सारे देश के मन्दर एक बवंडर पैदा हो रहा है लेकिन इतना सब होने के बावजूद भी घाप एक बात कहने का मौका नहीं देना चाहते हैं, तो किस तरह से घाप इसको लोक-सभा कहते हैं?

भ्रष्म्यक्ष महोदयः मुझे वह मजबूर कर रहे हैं कि मैं भगला कदम भी उठाऊं। उनको मब तकरीर करने वीजिए भौर भाप बैठ जाइये। मैंने बड़ी गांति रखी है, बहुत सब किया है। लेकिन एक हद वो होनी चाहये।

श्री बागड़ी : मध्यक्ष महोदय

मध्यक्ष महोदय : सब माप बैठ जाइये ।

भी बागड़ी : वह जरा हिन्दुस्तानी में तो बोर्ने ग्रीर हम मूर्ने . . .

भी क० ना० तिवारी (बगहा) : इस तरह से भगर चीज होगी भौर हम को भाग कहते हैं कि हम चुपचाप बैठे रहें तो कैंस मुकाबला करेंगे। प्राप मध्ती से काम लीत्रिये।

भ्रम्यक्ष महोबयः मगर प्राप ...

भी बागड़ी : हिन्दुस्तान की अमीन तो देदी है भीर हमारे साथ देश में मुकाबला करने की बात कहते हैं। कोई मधिकार नहीं है भाषको अमीन देने का...

माम्यका महोदयः यहां बहस के लिए तां मैं वक्त दे सकता हूं लेकिन कुण्ती के लिए नहीं।

[मध्यक्ष महोदय]

तीन चार बार मैं ने कहा है लेकिन ग्राप बोले ही चले जाते हैं। ग्राप बराबर रुकावट डाल रहे हैं ग्रीर कार्रवाई को चलने नहीं देते ð. . .

भी रामसेवक यादव : रुकावट नहीं डाल रहे हैं।

ग्रम्थक महोवय : ग्रीर क्या कर रहे हैं ?

वी बागड़ी : ये देश के हित की बात नहीं कह रहे हैं, ग्रहित की बात कह रहे हैं। जमीम को ये दे रहे हैं।

The Minister of Law and Social Security (Shri A. K. Sen): I beg to move:

"That Shri Bagri be suspended from the service of the House for the rest of the Session."

Mr. Speaker: The question is:

"That Shri Bagri be suspended from the service of the House for the rest of the Session."

भी रामसेवक यादव : नहीं, नहीं, नहीं ।

भी रामेक्वरानम्ब : यह नहीं हो सकता है।

भी रामलेवक यादव : यह नहीं हो सकता

है। इस पर मत ले लिया जाये।

प्राच्चला महोबव : मैं बोट लेने के लिए तैयार हं।

Let the lobbies be cleared (Interruption). The Bell is being rung to clear the lobbies.

The question is.....

Shri Surendranath Dwivedy (Kendrapara); Sir, before you put the motion to the House, although we all disapprove the attitude of the hon. Member, we feel that the sentence is too severe. If they could accept an amendment, I suggest that it should be for a week.

on Gujarat-West

Mr. Speaker: I must bring to the notice of Shri Dwivedy that there cannot be any amendment to this motion (Interruption). I am really very sorry that at this stage Shri Dwivedy has stood up to appeal to me. Was I not clamouring for any help from the Opposition that I should get. How long did I continue .

Shri Surendranath Dwivedy: None of the Opposition Members supported him; you must have observed that.

Mr. Speaker: I was all along asking the Opposition to exercise its influence. I was again and again saying that I did not want such an action to be taken. I gave so much of opportunity, showing so much of latitude and I was suffering all that humiliation and all that insult as well. I appealed to the House and particularly to the Opposition, but nothing could have any effect.

Shri U. M. Trivedi: Sir, we are with you in this respect and we do not want in any manner to lessen the decorum of the House. But at the same time we feel that this sentence for the whole term for the whole session, is rather very severe. Though the fault lies on the Member concerned, still we feel that it is a severe one. We do not want to support him in the least. We promise that we do not want to support him.

Mr. Speaker: Now, there cannot be any amendment as the hon. Member would be aware.

Shri Hari Vishau Kamath (Hoshangabad): Sir, I rise on a point of order.

भी रामेक्षरानन्द : मैं भाप से सहमत हं, हम माप का सम्मान भी चाहते हैं. लेकिन इतना ग्रन्याय तो नहीं चाहिये । इस को एक दिन के लिए कर दिया जाये ।

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धम्यक्ष महोदय : जो साहब यह कह रहे हैं कि एक दिन का दंड़ दिया जाये, वह शायद यह भूल गये कि ऐसा तो मैंने ही चाहा था। लेकिन माननीय सदस्य ने बाहर जाने से इन्कार किया। मब वह ऐसा कैंसे कह सकते हैं। मैं ने कई दफे कहा, लेकिन मेरी घपील को भी नहीं माना जा रहा है। जब मैं ने ही एक दिन के लिए कहा था तो घब वह कैंसे एक दिन के लिये कह सकते हैं।

एक माननीय सदस्य : ग्रच्छा, एक दिन के लिए नहीं तो दो दिन के लिए कर दिया जाये।

भ्रथ्यक्ष महोदयः श्रव मेरे लिये तो श्रांग कोई चारा नहीं है ।

Shri Hari Vishnu Kamath: Sir, I rise on a point of order. I raised the issue last time also when there was a similar question before the House and you were pleased to observe that under the Rules there could be no amendment to the motion. But then I appealed to you that the rules might be suspended for the time being under rule 389. Therefore, you, Sir, on your own, suo motu could reduce the period. May I appeal to Shri Sen, the Law Minister, to reduce the period by bringing in an amending motion reducing the period to seven days? He can do it. I appeal to him. I appeal to the Prime Minister.

Mr. Speaker: I put it to hon. Members in the Opposition

An Hon. Member: He can withdraw his motion and bring in a fresh motion.

Mr. Speaker: I would ask hon. Members in the Opposition, so far as the rules stand, is it possible for me at this stage to bring in an amendment? After a motion has been made, how can I do that? - It is for the House, after it has taken any decision, to change, modify or alter it whenever it wants.

Shri S. M. Banerjee: Supposing I move a motion now that the Rules be suspended? Mr. Speaker: There is no provision for it.

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Shri Hari Vishau Kamath: He has a right to withdraw the motion and move a fresh one.

Shri H. N. Mukerjee (Calcutta Central): Sir, your purpose as well as the purpose of the Opposition is to see that the proceedings are conducted properly so that the points might be properly ventilated. None of us here like some kind of things which sometimes take place in this House. You have been pleased to say that the Opposition has not done its duty by helping you. You know the difficulty in which the Opposition groups function in this House. Your object as well as our object is to see that as quickly as possible in the difficult conditions of parliamentary life we conduct our deliberations. But would it be proper to punish a Member in a rather extreme fashion on the very first day of the session and thereby exacerbate emotion already obviously roused or would it be path of wisdom to see that something is done to see that it is brought down. The House can do whatever it likes. At any particular point it can, by suspending the rules, allow an amendment to be moved. This can be done and it ought to be done.

Mr. Speaker: I am sorry the same thing is being repeated. Did not I say again and again, I ask Shri Mukerjee, that this is the first day and I do not want to take any action? How many times did I say that? Was any response given from the Member?

Shri H. N. Mukerjee: What can we do belonging to different partles?

Shri Surendranath Dwivedy: It is accepted by all that it is a case which needs punishment. What we ask is that it should not be too severe and it should not be for the rest of the session. If the rules stand in the way, my suggestion would be—as a request has already been made—that let this

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[Shri Surendranath Dwivedy]

motion be withdrawn and let the Law Minister make another motion suspending the Member for a week.

Some hon. Members: No, no.

Shri Daji (Indore): Sir, I rise to a point of order. I would like to know whether decorum is to be maintained only by the Opposition. When Opposition Members are shouted down, why is it that the Chair does not name one of them? They shout even at our leaders. How can we tolerate ' this? Mr. Mukerjee was shouted down; Mr. Dwivedy was shouted down and Mr. Kamath was shouted down. Has the majority Party, the ruling Party, got the privilege of shouting down the Opposition Members? Can you not ask them to leave the House? You should be fair. (Interruptions).

Mr. Speaker: If the Members do not allow me to do that, what should I do?

भी ज॰ व॰ सिंह (घोसी) : म्रध्यक्ष महोदय उन को सर्स्पेंड किया आये, उनको भी कुछ धर्म ग्रानी चाहिये।

भ्राम्यक्ष महोदय : क्या ला मिनिस्टर साहब कुछ कहना चाहते हैं ?

Shri A. K. Sen: If you are willing to allow the rule to be suspended. I am prepared, on behalf of the Government, to propose that the period be reduced to one week. (Interruptions).

Mr. Speaker: Order, order, 1 an doubtful whether at this stage the rule can be suspended.... (Interruptions) Would'nt they allow me to speak?

भी रामसेवक बादव : प्रध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है ।

चण्चक्ष महोबय : प्राप बैठ जाइये)

When a motion has been made under one rule and it is about to be put to the House, I am doubtful whether at that stage it can be suspended. If the hon. Minister so desires, he might withdraw his first motion and make the second one.

Shri A. K. Sen: I can do that. I beg to move:

"That the leave be granted to withdraw the motion".

Mr. Speaker: The question is:

"That the leave be granted to withdraw the motion".

Those in favour may kindly say 'Aye'.

Several Hon. Members: Aye.

Mr. Speaker: Those against may kindly say 'No'.

Some Hon, Members: No.

Mr. Speaker: The 'Ayes' have it

Some Hon, Members: The 'Noes' have it.

Shri Lal Bahadur Shastri: Sir, can very well understand the feelings of the hon. Members of this House, the views or the opinion of the Members of the Opposition and also of the Members of this side. It is highly regrettable that the proceedings of the House are not allowed to be carried on in a manner which would be in consonance with the dignity of this House. There is constant disturbance. Even when you, Sir, are standing, you are not allowed to speak. Whenever a Minister is speaking or replying, he is continuously interrupted. There should be some decorum in the House and if we do not observe that decorum, I am very sorry to say, we would be pre-senting an image which would go totally against us not only in India but outside also. I would, therefore, beg, through you, to the Hon. Members

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that in future let us observe some rules and regulations.

In so far as this particular matter is concerned, of course, it is not the first time that Baguin has behaved in this manner. But I would request you that you may please agree to waive the rules and allow the Law Minister to move another motion. I have every hope that the whole House will agree with it.

Mr. Speaker: After this appeal of the Prime Minister. I hope the whole House would agree to the withdrawal of the first motion.

Bon. Members: Yes.

Mr. Speaker: So, the first motion is withdrawn.

Division No. 1]

Akkamma Devi, Shrimati Alve, Shri Joschim Bakliwal, Shri Balmiki, Shri Barman, Shri P.C. Barus, Shri R. Barupal, Shri P.L. Base at Kunwari, Shrimati Basappe, Shri Rus omatari, Shri Bhagat, Shri B.R. Bhagevati, Shri Bhekt Dershan, Shri Shargeve, Shri M.B. Bhattacheryys, Shri C.K. Birendre Bahedur Singh, Shri Borooah, Shri P.C. Brajeshwar Presad, Shri Brit Rai Singh-Kotah, Shri Chanda, Shrimati Jyotsm Chandriki, Shri Chaturvedi, Shri S.N. Chaudhry, Shri Chaudramani Lal Chaudhuri, Shri D.S. Chaudhuri, Shri Sechindra Cheven , Shri Y.B. Chuni Lal, Shri Dandeker, Shri N. Des, Shri B.K. Dass, Shri C. Dighe, Shri Dizit, Shri G.N.

AYES

Dwivedi, Shrl M.L. Elavaperumal, Shri Gupta, Shri Shiv Charun Harvani, Shri Ansar Hazarika, Shri J.N. Hem Raj, Shri Himsteingks, Shri **Igbel Singh, Shri** Jyotishi, Shri J.P. Kabir, Shri Humayun Kapur Singh, Shri Kedaria, Shri C.M. Khadilkar, Shri Khan, Shri Osman Ali Khan, Shri Shahnawez Kinder Lel, Shri Kotoki, Shri Liladhar Krishne, Shri M.R. Krishnemecheri, Shri T.T. Krishnapal Singh, Shri Kureel, Shri B.N. Lahtan Chaudhry, Shri Lalit Sen, Shri Mahadeva Pressd, Dr. Mahtab, Shri Mahishi, Dr. Sarojini Maimoone Sultan, Shrimeti Mallick, Shri Rama Chandra Mandal, Shri J. Mandal, Shri Yamuna Prasad Maniyangadan, Shri Mantri, Shri D.D.

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Shri A. K. Sen: I move:

"That Shri Bagri be suspended from the service of the House for one week"

Mr. Speaker: The question is:

"That Shri Bagri be suspended from the service of the House for one week"

Lok Sabha divided.

Shri Sumat Prasad (Muzaffarnagar): I am for 'Aye'.

Shri Brij Basi Lai (Faizabad): My machine did not work. I am for 'Aye'.

श्वी मधुलिमयेः मेरा वोट नहीं ग्राया है।

Mr. Speaker: All this will go in record.

[13:45 hrs.

Merandi, Shri Maruthiah, Shri Maseni, Shri M.R. Masuriya Din, Shri Mathur, Shri Shiv Chara Mebrotra, Shri Braj Bihari Mehta, Shri Jaahvant Mirza, Shri Bakar Ali Mishre, Shri Bibhuti Mishrs, Shri M.P Misrs, Shri Mahesh Dutta Morarka, Shri More, Shri K.L. Muhammad Ismail, Shri Mukerjee, Shri H.N. Mukerjee, Shrimati Sharda Murli Manoher, Shri Muthiah, Shri Naik, Shri D.J. Nanda, Shri Nayak, Shri Mohan Never, Dr. Suphile Nigant, Chrimati Savitri Oza, Shri Pande, Shri K.N. Pendey, Shri R.S. Pandoy, Shri Vishwa Nath Pandit, Shrimeti Vljey Lakshe Pant, Shri K.C. Parmasivan, Shri Petel, Shri Chhotubhai Patel, Shri Rajeshwar

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Patil, Shri D.S. Patil, Shri J.S. Patil, Shri M.B. Patil, Shri S.B. Pillai, Shri Natarala Prabhakar, Shri Naval Ral, Shrimati Sahodra Bai Raja, Shri C.R. Raideo Singh, Shri Raiu, Shri D.B. Raju, Dr. D.S. Ram, Shri T. Ram Sewak, Shri Ram Swarup, Shri Rananjal Singh, Shri Rane, Shri Rango, Shri Ranga Rao, Shri Rao, Shri Jaganatha Rao, Shri Krishnamoorthy Rao, Shri Rameshwar Rettan Lal, Shri Raut, Shri Bhola Rewandale, Shri Ray, Shrimati Renuka] Reddy, Shri Narasimha Reddy, Shri Narayan

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Reddy, Shrimati Yashoda Roy, Shri Bishwanath Sadhu Ram, Shri Seigel, Shri A.S. Semante, Shri S.C. Samnani, Shri Saraf, Shri Sham Lal Sarma, Shri A.T. Sen, Shri A.K. Sen. Shri P.G. Shah, Shri Manabendra Sham Nath, Shri Sharma, Shri A.P. Sharma, Shri D.C. Shashi Ranjan, Shri Shastri, Shri Lal Bahadur Shestri, Shri Ramanand Sheo Narain, Shri Shinde, Shri Shinkre, Shri Shree Narayan Das, Shri Shukla, Shri Vidya Charan Singh, Shri K.K. Singh, Shri S.T. Singha, Shri G.K. Sinha, Shrimati Tarkeshwari Sinhasan Singh, Shri

on Gujarat-West Pakistan Border (M)

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Snatak, Shri Nardeo Solanki, Shri Srinivasan, Dr. P. Subramanyam, Shri T. Sunder Lal, Shri Surendra Pal Singh, Shri Swaran Singh, Shri Tahir, Shri Mohammad Thengondar, Shri 'Fiwary, Shri D.N. Tiwary, Shri K.N. Tiwary, Shri R.S. Tripathi, Shri Krishna Deo Tula Ram, Shri Uikey, Shri Ulaka, Shri Ramachandra Valvi, Shri Varma, Shri M.L. Varma, Shri Ravindra Vecrappa, Shri Verma, Shri Balgovind Vimla Devi, Shrimati Vyas, Shri Radhelal Wadiwa, Shri Yadava, Shri B.P.

NOES

| Bagri , Shri Hanerjee, Shri S.M.9 | Murmu, Shri Sarkar Pattnayak, Shri Kishen Pandey, Shri Sarioo Rameshwaranand, Shri | Singh, Shri J.B." Sumat Prasad, Shri Swamy, Shri Sivamurthi Warior, Shri Yadav, Shri Ram Scwak |
|---|---|--|
| Bhanja Deo, Shri L.N. Bhattacharya, Shri Dinen | | |
| Minra, Dr. U | Reddy, Shri Eswara | |

Mr. Speaker: The result of the Division is:

| Ayes | 174 |
|------|-----|
| Noes | 15 |

The motion was adopted.

भी किशन पटनायक (सम्बलपूर) : जो राष्ट्र की भावना है उस को श्री बागड़ी ने सदन के सामने रखा था, उन को निकाला जा रहा है, इसलिये मैं भी प्राक माउट करता हं ।

Shri Kishen Pattnayak and some other Members then left the House.

Mr Speaker: Order, order. Let us now hear the Prime Minister.

Shri Laj Bahadur Shastri; As. told you in the beginning. I would refer to some of the points caised just now when I reply to the debate because it would be better i hear the full debate and then refer to those points.

The House will recall that the last devoted session of the Lok Sabha considerable time and attention, and rightly so, to the developing situa tion between India and Pakistan on the Kutch-Sind border culminating in the inroads committed by Pakis-

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tani armed forces in the Rann of Kutch.

I had made a number of statements in the House. It would be recalled that, as a result of Pakistani armed intrusions into the Rann of Kutch and their aggressions committed against us, there was scrious danger of a military conflict between India and Pakistan which, in the very nature of things, could not have been confined merely to the Kutch-Sind border. As I said in my statement in this august House on April 28, that was one of the most fateful moments of our times and both India and Pakistan stood poised at the crossroads of history. I made it quite clear then and afterwards that we are a nation, pledged to peace but that at the same time we are determined to defend our country.

Throughout those difficult days we were subjected to great provocations. Pakistan did everything to wash away the bridges of peace and to engulf the two countries in a military conflict, the consequences of which would have been grave for both. However, the firm steps that we took, including the despatch of troops to the frontiers to meet the threat posed by the concentration of troops on the other side made Pakistan realise that it should not hope to get away with aggression.

I cannot but make a reference to the present situation as it exists in Kashmir. It is a new situation, full of the most serious potentialities. A large number of raiders in civilian disguise, but heavily armed, have come across the ceasefire line and arc indulging in serious acts of sabotage and destruction. These raiders are being spotted out and dealt with firmly and effectively. The number of those killed, wounded and captured is now fairly large. Our valiant security forces, both army and police, are acting with exemplary valour.

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SRAVANA 25, 1887 (SAKA) on Gujarat-West 170 Pakistan Border (M)

The two situations to which I have made a reference arose at different points of time and I have no doubt whatsoever that the manner in which Government dealt with them was the best possible in the circumstances. I would urge the House to consider the Gujarat-West Pakistan Border Agreement in the light of the stand that Government had taken while the Parliament was still in session and which was stated in this august House on more than one occasion.

May I now refer to the Gujarat-West Pakistan Border Agreement in some detail? As the House is aware, on April 28, the Prime Minister of the United Kingdom, Mr. Harold Wilson, wrote to me and to President Ayub Khan expressing great concern at the situation that had developed in regard to the Kutch-Sind border. He suggested a ceasefire to be followed by withdrawal of troops and restoration of the status quo as on 1st January, 1965 and thereafter talks between the two Governments. These proposals basically conformed to the stand consistently taken by the Indian Government in the fruitless exchange of notes which had taken place between the Governments of India and Pakistan in the months of March and April. I, therefore, replied to Mr. Wilson accepting these principies. Thereafter followed a long process of negotiations on details. Through the intermediary of U. K. High Commissioners in India and Pakistan and the United Kingdom Government eventually on the 30th June, 1965, an agreement was signed between India and Pakistan

The main elements of this Agreement are: a ceasefire on both sides to be followed by withdrawal of forces and restoration of status quo as prevailing on the 1st January, 1965. Once these are accomplished, there has to be a meeting between the Ministers of India and Pakistan and if such a meeting is unable to resolve the boundary issue, a three-man impartial tribunal is to be constituted to give its findings on the subjects. A time-table is

[Shri Lal Bahadur Shastri]

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set out in the Agreement for these various steps. The withdrawal of forces from the Rann of Kutch is to be completed within seven days of the ceasefire. Restoration of the status quo in its entirety, including resumption of normal police patrolling is to be completed within a month from the date of ceasefire. The Ministers' meeting is to conclude discussions within two months and the tribunal is to be set up within four months of the ceastire.

The Agreement is in conformity with the Indo-Pakistan Border Agreements of 1959 and 1960. In connection with the latter, I would like to recall that those Agreements were placed before the House on the 16th November, 1959 and 9th February, 1960, respectively, and statements thereon had then been made by the late Prime Minister Pandit Jawaharlal Nehru and the Minister for State, Shrimati Lakshmi Menon.

Hon. Members will recall that, in my statement before the House in the last session, I had said that we would agree to talk, but only if Pakistan's aggression was vacated and the status quo ante was restored. I had also stated that Pakistan would have to vacate Kanjarkot. All this has been complied with. There is no Pakistani force now in Kanjarkot; Bihar Bet and other points which they had occupied have also been vacated.

As regards patrolling also, the position would be restored as on 1st January, 1965. The officials of the two Governments have met to sort out details.

I should like to say a few words with regard to the status quo ante. The Agreement restores the status quo as on 1st January, 1965. Generally speaking, implicit in the concept of status quo is adherence to the position prevailing at a given time. In agreeing to the restoration of the status quo ante, we have not introduced any new principle.

The question as to what the actual position in regard to various matters on the 1st January, 1965, was one of fact and not of any sovereign rights. The restoration of that position was considered essential in order to get Pakistan's aggression vacated-the aggression which Pakistan had committed in April, 1965. The interim period, while the question of demarcation of the boundary is being pursued, would be of a short-term duration. As I have said already, there is a definite time schedule for the entire work to he completed even if it becomes necessary to refer the matter to the tribunal. It is perfectly clear that the boundary would be demarcated on the basis of documentary evidence and the de facto interim position would have no. relevance whatsoever.

One matter about the Agreement which has caused some comment is that of patrolling. On this question also the actual position obtaining on the 1st January, 1965, had to be restored. The Pakistan Government put forward the claim before the United Kingdom Government, who were acting as intermediary, that it was patrolling on that day over a wide area in the Rann of Kutch.

This claim was found to be without foundation except with regard to a small track close to the international border, over which Pakistanj patrols. were said to have passed....

Shri Hem Barua: "said to have" passed!

Shri Lai Bahadur Shastri: While moving from Ding to Suraj, both of which lay in Pakistani territory. This position had to be accepted as part of the overall restoration of the status quo ante, on which from the very

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beginning India had taken a firm stand. I should make it clear, however, that the use of this track does not, in any manner, confer any rights on Pakistan.

The authority of India is complete and extends to the whole of the Rann of Kutch.

14 hrs.

A few words more about Kashmir before I conclude. All my colleagues and I myself share fully the grave anxiety which I know fills the minds of all hon. Members. As the hon. Members are aware, the armed raiders have crossed the cease-fire line deceitfully in civilian disguise. According to information available, and as has just now been said by the Defence Minister, these people had been specially trained to indulge in acts of sabotage and destruction by the armed forces and officers of Pakistan. Our security forces are dealing with these raiders in the only manner appropriate to the situation. From the statements made by the prisoners, it would appear that the present operations have been planned and are being directed with the approval of the authorities in Pakistan.

The situation in Kashmir is fully under control. The raiders are being tracked down even with the help of the local population. It may take a little time to apprehend all the raiders. but the operations are proceeding satisfactorily. The Government and the people of Kashmir are prepared to face the challenge, and I would like to pay my tribute to the courage of the people and to the boldness and determination shown by the Government of Jammu and Kashmir under the distinguished leadership of G. M. Sadiq Sahib.

Hard days lie ahead, but we have to face the future with bold resolution. The price of freedom is paid not once but continuously. We have to be prepared as a country to pay that price.

So far as Government are concerned, we have dealt with the developing

SRAVANA 25, 1887 (SAKA) on Gujarat-West 174 Pakistan Border (M)

situation, whether in relation to Kutch or in relation to Kashmir, in the best manner possible in our circumstances. Government will continue to do so in the days ahead, but their hands would be greatly strengthened by the mighty support they get from this House.

Mr. Speaker: Motion moved:

"That the statement laid on the Table of the House by the Prime Minister on the 16th August, 1965, on the Indo-Pakistan Agreement of Junc, 1965, relating to Gujarat-West Pakistan border be taken into consideration.".

There are some substitute motions for this. The first one is in the name of Shri Yashpal Singh. Is he moving it?

Shri Yashpal Singh (Kairana): Yes.

Mr. Speaker: The second one is in the name of Shri Kishen Pattnayak. I think he is not there in his seat. The third one is in the name of Shri Madhu Limaye. He has gone out.

आ किशन पटनायकः मैं मूव करता

हं ।

Mr. Speaker: Substitute motion No. 4 is in the name of Shri Surendranath Dwivedy and others.

Shri Surendranath Dwivedy: I am moving it.

Mr. Speaker: Then, the fifth one is in the name of Shri U. M. Trivedi and Shri Brij Raj Singh.

Shri Brij Raj Singh (Bareilly): 1 am moving it.

Mr. Speaker: Substitute motion No. 6 is also in the name of Shri U. M. Trivedi, Shri Brij Singh and others.

Shri Brij Raj Singh: I am moving substitute motion No. 6 also.

Mr. Speaker: Then, the seventh one is also from Shri U. M. Trivedi, Shri Brij Raj Singh and others...