

14.20 hrs.

STATUTORY RESOLUTION RE. APPROVAL OF CONTINUANCE OF PRESIDENT'S RULE IN JAMMU AND KASHMIR

[*Translation*]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRISUBODH KANT SAHAY): Mr. Deputy Speaker, Sir, I beg to move:

"that this House approves the continuance 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 March, 1991."

As this august House is aware, that keeping in view, the prevailing situation in the State of Jammu and Kashmir and on the recommendations of the State Governor a Proclamation imposing President Rule in the State had been issued on 18th July, 1990 under article 356 of the Constitution. Prior to that the State Assembly was placed under suspended animation by the State Governor on 19.1.1990 under Article 92 of the Constitution and all the executive and legislative powers of the State were assumed to himself. After one month of that action, in exercise of the power vested in him, the Governor dissolved the State Assembly on 19.12.90.

As has been provided in Article 356 (4) of the Constitution, and as applicable to the State of Jammu and Kashmir, a Proclamation so approved shall, unless revoked, cease to operate on the expiration of a period of six months from the date of issue of the Proclamation.

The Resolution approving President's Proclamation was passed in the Lok Sabha and Rajya Sabha on 21.8.90 and 3.9.90 respectively. As such the Proclamation issued on 18.7.90 will not remain in force after 2.3.91.

The present law and order situation in the State of Jammu and Kashmir is not normal to the extent under which elections for the State Legislative Assembly could be conducted. There are indications from the report received from the Governor of the state that the political parties are not prepared for elections in the State. There are no such sign that the political parties have strengthened themselves or they have any interest for the elections. On the other hand, the law and order situation is deteriorating continuously. In view of the unabated in flow of infiltrators from across the border, assistance received by these infiltrators in different forms from the neighbouring country, increasing assault on our security forces by the terrorists, large scale migration of people belonging to minority community from the valley as a result of assault by terrorists and instability in the State administration, it is not possible to hold elections in the State.

In the recent report submitted to the President by the Governor of Jammu and Kashmir, it has been stated that it would not be possible to run the State administration in accordance with the provisions of the Constitution, after the present Proclamation ceases to operate, under the prevailing security and political condition. The Governor further states that the security forces have been maintaining continuous pressure on the activities of secessionist elements and extremists. Changes have also been noticed in the attitude of Kashmiri people. The Governor has further mentioned that despite these positive signs, the security condition continues to be disappointing and challenging. Extremists trained in Pakistan are present in the Valley as also across the

border and arms and ammunition and explosive material in large quantity are available with them. They are getting continued aid from the Pakistani agencies and extremist organisations of Jammu and Kashmir.

In his report the Governor has stated that the situation in the State is not conducive for holding Assembly polls in the near future. Political vacuum has been created in the Kashmir valley and no political activity is visible among the people.

Accordingly, the Governor has recommended that President's rule in the State should be extended for a further period of six months.

Keeping the prevailing situation in the State and other relevant factors in view, there was no other course left but to issue the Presidential Proclamation on 18th July, 1990. Therefore, it is proposed to extend the President's Rule in Jammu and Kashmir for a further period of six months from 3.3.1991.

In view of the position explained above, I would request the august House that this Motion be accepted.

[English]

MR. DEPUTY SPEAKER: Motion moved:

"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 March, 1991."

MR. DEPUTY SPEAKER: The time allotted for this discussion is three hours. So, voting may take place at 5.30 hours or after 5.30 hrs. Time allotted for Congress Party is

one hour and two minutes, BJP, 27 minutes, Janta Dal, Telugu Desam and Congress (S)—26 minutes, Janta Dal (S)—17 minutes, CPI(M)—11 minutes, CPI-4, minutes, AIADMK-4 minutes and small groups; RSP, All India Forward Block, BSP, Muslim League, Jarkhand etc. 8 minutes.

Please stick to the time allotted to each party.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Deputy Speaker, Sir, I do support the statement made by the Minister of State for Home Affairs about Kashmir and the Motion moved in that regard, but the people of this country would like to know the reasons which compelled the Government to take recourse to this measure and why did it not succeed in wiping out these reasons? I am of the view that whether it is V.P. Singh's Government or the present Government headed by Shri Chander Shekhar, they have received the Kashmir problem in inheritance from the Congress Party. I do not want to go into the details of how Farooq Abdullah was first removed and then reinstalled, today they are friends. But I must say that like the Punjab problem, Kashmir problem too is the creation of the Congress Party. However, high pitched the speeches of the Congressmen may be, the fact remains that the security deposits of all of them were forfeited and yet they managed to win. They got only 1 or 2 per cent votes, the election was boycotted.

SHRIDHARAMPAL SHARMA (Udhampur): The security deposits of the State unit President and General Secretary of Janata Party were forfeited. Both of them lost in their respective constituencies... (Interruptions) ...

SHRI MADAN LAL KHURANA: There is nothing unusual if the defeated candidate loses his security deposit. In the case of your

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candidates, even the winning candidates have lost their deposits.

(Interruptions)

SHRI HARISH RAWAT (Almora): This is not applicable to the Congress candidates.

SHRI MADAN LAL KHURANA: If Mr. Farooq Abdullah keeps company with you, you relish it, but if he says something wrong, you disown him. This stand of yours is not at all consistent. There were some hopes from V.P. Singh Government in the matter of Kashmir. He did take some good steps, but he succumbed to pressure and retraced his steps. For example, he appointed Shri Jagmohan as Governor. It was a case of the Captain saving the sinking ship. He did some good work in Kashmir, but he was recalled. The same is true of Rubaiya episode. The former Home Minister is not present in the House and hence, I do not want to go into the past cases. But the situation that has been created in the valley today is too terrible to frighten. This reminds us of the situation of 1947. This is true that when Pakistan came into being, lakhs of people had migrate, but the situation in Kashmir valley today is much that lakhs of people have been forced to migrate as refugees from their own homeland. This can give an idea of the gravity of the situation. While discussing the issue of Kashmir, I would like to draw the attention of the House on two aspects of the problem. The first is terrorist activities in the valley and its consequences and the second relates to the migrants of the valley who are leading a hellish life elsewhere in the country. Now I would like to draw the attention of the House to callous approach of the Government towards the problem. First of all, I would say that the biggest mistake which all the Governments committed in solving the Kashmir problem was that they adopted the policy of

appeasement towards a particular community and the gave the problem a communal tinge, but the fact is that the problem is not at all communal and it is not going to be solved through appeasement of a particular group. It is not politics of votes, but it is a national problem. What Shri V.P. Singh Government and Rajiv Gandhi Governments did was that they adopted the policy of appeasement of the majority community and the result today is that the administration in the Kashmir valley has totally collapsed. Let me cite an example in this regard. So far no D.C. has signed a warrant of detention. It is the Additional Chief Secretary (Home), Shri M. Rehman, Padam Shree Award Winner, who is taking courage to sign the warrants. You can well imagine the situation of administration in a State where no D.C. of the Government is taking courage to sign a warrant of detention.

I would like to give another example. Last year, no Government official attended the Republic Day function on the 26th January. This year the Adviser to the Governor, Shri Marwah convened a meeting of officials and chalked out a strategy for successfully organising programmes for the celebration of the Republic Day on the 26th January. According to my information, Republic Day functions were held only at Srinagar and Anantnag where no Government official except the D.C. and special commissioner was present. One can understand if some one abstains from the function, but if the entire administration boycotts the celebration, you can well imagine the situation prevailing there. Did the Government take any action against them?

Not only that, a strike was observed there which lasted 73 days. This strike was observed in support of the employees who were terminated for joining training camps in Pakistan and indulging in anti-national activities. After the strike, the administration surrendered in the same way as it did in the

Rubaiya episode. This resulted in demoralisation of the security forces.

The development work in the State has come to a standstill today. The terrorists have burnt 36 bridges, but the administration has not been able to re-built them so far. Several schools and hospitals have also become the targets of their attack and their repair work has not been undertaken so far inspite of the fact that budgetary provision for this purpose was made. Public Distribution System has collapsed and kerosene is distributed through the personnel of para-military forces. Such is the poor condition there that your administration does not even supply oil and ration there.

Mr. Speaker, Sir, last year when militancy was at its peak, the "Darbar" was shifted to Srinagar from Jammu, but now the district administration is also at a standstill. As I have already told you that the reason of this standstill is the 73 days old strike of the employees and the surrender of the Government before the employees, and its result is before us. I have to say this much that issuance of statements by the Government and the Governor with regard to the solution of the Kashmir problem that they would talk to the terrorists, is not proper. What will be the effect on the nationalist citizens of Jammu and Kashmir valley who want to live in India peacefully, when they will come to know this sad news that the Government will talk to those terrorists who are killing the innocent people mercilessly and making revolt? There are two types of terrorists, one is that who want Kashmir to merge with Pakistan and the other group is that who want to liberate Kashmir and to live separate from India. When the Government will negotiate with them, the common citizens will feel demoralized. They will feel that tomorrow the terrorists will be in power because the Government is negotiating with them. In this way the terrorists morale would get a boost. So I request that the Government should make

the position clear. I would like to know from the Government as to what is its real intention when it says that it is prepared to talk even to the terrorists? With whom the Government is going to have negotiations? My submission to the Government is that the government should make it clear that there will be no negotiation with any terrorist in this country unless he leaves the path of violence and unless he considers India as his mother land, and puts forth his demands within the framework of the Constitution.

One thing I would like to point out that the Bharatiya Janata Party is not against the talks. We don't agree with the idea that the problem should be solved by bullet alone, but with whom the talks should be held. The Government has made it clear that it wants to have a conversation, but this conversations would be held only with the persons who are indulged in terrorist activities. I would like to know as to why the people of Jammu and Ladakh should not be included in the talks. Why the Government is not in favour of including minority community of the country or the majority community of that place, e.g. Gujjar and bakkarwal communities? The Government shall have to isolate the terrorists.

I don't say that only Hindus are nationalists, there are people of other religions also in large number who are in favour of India and consider India as their mother land. They want to abide by our Constitution. What I mean to say is that those people should also be included in the talks, they should also be encouraged. But the Government won't do so. When you will not talk to the people of Ladakh or Jammu, then with whom you will talk? Will you talk to the people who are trained in Pakistan and are using the guns against the innocent people. I have one more submission, in Kashmir the terrorists are dictating their own terms; they are forcing people to wear some particular dresses. They are openly saying that the Pak flag will

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[Translation]

be unfurled at Lal Chowk...the question is what is the motive behind all these things? I would like to repeat whether it is Punjab or Kashmir the motive is to attack our national identity. It is a confirmed news that the word "Indian" has been deleted from Indian Airlines and Bank of India. All such sign-boards bearing the words like "India" or "Indian" have been destroyed. I had been to Kashmir about two years back, and I saw the boards like, Indo-Kashmir. What does it mean? Nobody says Indo-Delhi, Indo-U.P. India is not a separate State. There are so many states in India and India is a nation. It is not a confederation of nations formed of so many nations. Ours is a federal Government consisting of several states. So, we do not say Indo-Kashmir or Indo-Punjab. Those who say like that want to assault our national identity.

I would like to make one more submission. There was a report in the newspapers that Dr. Farooq Abdullah is being appointed as a mediator for holding talks with the militants of Kashmir. I believe that the terrorism in Kashmir is not a recent development. Its reasons are very old, but the latest reason of terrorism of today is rigging done by Farooq Abdullah in the elections. The people became much angry when they saw the winning candidates losing the elections. So there is widespread resentment among the people against Farooq Abdullah in Kashmir Valley.

This is not my report. It is the report of your CIB.

(Interruptions)

[English]

SHRI KAMAL CHAUDHRY (Hoshiarpur): It is not CIB; they call it intelligence.

SHRI SHOPAT SINGH MAKKASAR (Bikaner): How do you know it?

SHRI MADAN LAL KHURANA: I am telling you what he did when he was in power. I am giving only one example. When Dr. Farooq Abdullah was Chief Minister, 80 persons were released and it is very surprising that all the top militants are out of those 80 persons. I would like to tell about the report regarding the manner of distribution of arms by Farooq Abdullah among his workers in the name of home-guards. The report in this regard is lying with CIB. The same arms which were distributed among the activists in the name of Home Guards are being used by terrorists these days. I would like to mention the name of a person—Ali Mohammad Sagar, an-ex-minister. Some arms were recovered when he was going for checking purposes at Banihal. (Interruptions)

MR. DEPUTY SPEAKER: Mr. Khurana, please keep in mind that the person whose name you are mentioning is not present here.

SHRI MADAN LAL KHURANA: Arms like pistols etc. were recovered from him. Pressure is being exerted to withdraw the case against him. (Interruptions) During the last few days there was a press report that Dr. Farooq Abdullah or should I say, the present Prime Minister of Pakistan met each other in some other country.

I would like to say that the Government should find out the facts in this regard. Why did Shri Abdullah meet the Prime Minister of Pakistan?

SHRI INDRAJIT (Darjeeling): Did he meet Shri Nawaz Sharif?

SHRI MADAN LAL KHURANA: Yes, why did he meet Shri Nawaz Sharif and what

did he discuss? Was the report of that discussion given to the Prime Minister or the Government of India, if not, I would like to know what issues did he discuss with the Prime Minister of Pakistan and with whose permission the meeting took place?

Mr. Deputy Speaker, Sir, recently a statement of Shri Farooq Abdullah has been published in the newspapers in Jammu in which an appeal has been made that do not yield to Shri Jagmohan, go outside the country and come back after taking training. Shri Farooq Abdullah gives a statement in Delhi in favour of India but when he goes to Jammu not of course Kashmir, he gives a different statement. What is the reason of adopting double standards? Therefore, my submission is that the Government must be cautious in regard to a person on whose instance they agreed to sign an agreement and on whose instance the Government bowed down to the 73 days long strike and its consequences are quite visible. I, therefore, ask the Government to remain cautious. His mediation may prove suicidal.

Mr. Deputy Speaker, Sir, recently the Governor has said that the matter is being discussed. I would like to know with whom the matter is being discussed, who is the mediator and what is being discussed. The country should be taken into confidence in this respect. In Jammu & Kashmir only Kashmiri speaking community does not reside, non-Kashmiri speaking people should also be taken into confidence. Total population of Kashmir is about 70 lakhs, out of which 22-23 lakhs are Kashmiri speaking people and that too constitutes not only one section. Attention should be paid to all other sections also.

In this connection, I would like to submit that it is true that conditions are not normal in the valley. The census is taking place throughout the country.

SHRI INDRAJIT: But not there.

SHRI MADAN LAL KHURANA: I would like to know why it is not taking place in Kashmir? Census is taking place in Punjab though terrorist activities are going on there too, then why not in Kashmir? There are political reasons. Some people demand that elections in Delhi should be held on the basis of electoral lists of 1989 but in Kashmir even now elections are held on the basis of census held in 1941. If census takes place in Kashmir today, delimitation of all seats will be required and thus seats of Jammu region will increase. This is the political reason due to which census is not being held there. I would like to know from the Minister of Home Affairs that when Kashmir is a part of India why the Government is creating the impression that they do not have any authority in that region that is why they are unable to hold census there. It will not have good effect.

Mr. Deputy Speaker, Sir, I was taking about Ladakh. Through you, I would like to urge the Government to do justice to Ladakh. We should not underestimate patriotism of any one. Ladakh has a special significance from the point of view of security of the country. But no development is taking place there. There is not even a single degree college, no development projects have been launched, power supply is available merely for two hours out of twenty four hours and that too only in Leh. There is no regular power supply to the villages. They have been ignored totally. The entire region is extremely backward. Ladakh has special importance from strategic as well as security point of view. Therefore, the Government should pay special attention towards it. Pandit Nehru had proposed a separate Ministry for Ladakh, however that proposal was not materialised. In 1967 Gajendra Gadkar and in 1989 Sikri Commission made several recommendations, but I would not go into them as time is short. In this connection Buddhist Association launched a massive

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movement there. Consequent upon this the Central Government, the State Government and the Buddhist Association of Ladakh signed a trilateral agreement on Oct. 20, 1989. The then Minister of Home-Affairs Shri Buta Singh was also present at the time of agreement. An assurance to form a Council similar to Gorkha Hill Council was given to them. However, the recommendations have not been implemented so far. Due to this there is great resentment among the people of Ladakh. The Government should look into the callousness with which they are being treated.

In regard to Jammu region I have made submissions several times and now again I would like to submit that justice should be done to Jammu. All those who are loyal to the country whether they reside in Kashmir, Ladakh or Jammu should be united and their grievances should be removed.

My second point relates to the problem of the displaced Kashmiris. Mr. Deputy Speaker, Sir, my submission is that those who talk of human rights in the country, went to submit the report of killings of terrorists by the Government but why have they been silent in regard to the displaced Kashmiris? I agree that it was right on the part of the Government that Indians were repatriated from Gulf countries when war began there. But some persons say that they would not let the proceedings of the House go if any number of people were entrapped there. But here in Uttar Pradesh and Bihar riots have been taking place. It is unfortunate that four persons have been killed in these incidents in this connection some people will stage dharna in the House.

Mr. Deputy Speaker, Sir, since I became member of the House, no matter whether it was the previous Government or the present one, about two lakh people have

left the Kashmir valley. They say that their only fault is that they are loyal to India due to which they had to migrate. Had they raised slogans in support of Pakistan with others, they could easily live there. In other parts of the country, a number of incidents take place, various demands are made. Whenever riots take place in any part of the country, the Prime Minister visits the affected areas. But about two lakh people have been displaced from Kashmir and are staying in Jammu and Delhi for the last 13-14 months, did the Prime Minister ever go to see them in Jammu? He can go to Punjab but why not to Jammu to see the refugees and displaced people. I went there, Shri Advani went there. The situation is so bad as Shri Advani saw himself and a lady told him that she could not take bath for the last seven days, because she had no clothes and there was no arrangement for taking bath. 8-10 families live in a single room. Tents have been provided to them. Three months earlier, I myself saw their condition. In a single tent at least three families have been living for the last 11-12 months. Can so many persons live in a single tent? Winter season is just over, in summer people will die of heat wave. How many blankets were provided in winter? The Government could not provide blankets to them. BJP provided about one and a half lakh blankets to the people residing there. Whenever any issue is raised, it is said that we are secular. I am constrained to say that whatever the refugees say that is correct. They say that as they are Hindus that is why no attention is being paid to them. Had they been belonging to some minority community, perhaps all the political parties, and even the Government would have come forward to appease us. I would like to know that...*(Interruptions)* we provide relief to all those who suffer, we would be ready to do so even in your case. Recently hailstone hit...*(Interruptions)* My submission is that two lakh is not a small number, such a huge number of people have been displaced. The Government should pay attention towards

them on priority basis. They were assured that they would be rehabilitated permanently in the hilly area of Jammu. In view of the prevailing situation in Kashmir it is difficult that they would be ready to go back Shri Farooq Abdullah and even other MPs have been reluctant to visit the area...*(Interruptions)*

PROF. SAIF-UD-DIN SOZ (Baramulla): You are speaking very wrong.

SHRI MADAN LAL KHURANA: You yourself can assess to what extent I am wrong. I said last year that refugees have come here and you said that I was wrong. It was alleged in this House that the motive was to massacre the people of a particular community and that is why Hindus were being taken out and this respect propaganda was launched. Here in the house it is being said that all this is wrong. My submission is that the Government should be courageous to deal with the terrorists firmly. They should not yield...

14.58 hrs.

[DR. THAMBI DURAI *in the Chair*]

The MPs sitting here are not bold enough to hoist the national flag at the Lal Chowk there, not even Farooq Abdullah...*(Interruptions)* Let them say that they have courage to hoist the Indian Flag in their constituency...*(Interruptions)* Singing of National Anthem has been stopped in schools of Punjab and Kashmir. National flag cannot be hoisted there. Such is the prevailing situation there. In your speech you would simply say that the situation in the Kashmir is normal. You should announce a date when you would hoist the national flag at the Lal Chowk. If the Indian flag cannot be hoisted in India then where it could be. My party knows that Kashmir had a glorious history and there was a time when...*(Interruptions)*

15.00 hrs.

The Founder President of the Bhartiya Jansangh and leader of the opposition Dr. Mukherjee, who was born in Bengal but sacrificed his life for the unity of Kashmir, rather the unity of the country in Kashmir on 23rd June. The BJP decided on that very day that if the ruling party—whether it is National Conference or Congress, fails to hoist the flag, in—numberable BJP workers will assemble at the Lal Chowk in Srinagar on June 23 to hoist the national flag. It would strengthen unity of the country.

The Government should pay attention to the suggestions given by me. First that they should not create the impression that they would yield to terrorists' pressure, secondly attention should be paid to those people who were displaced from Jammu and leading a deplorable life in Delhi. They should be enlisted in the voters' list, their problem should be discussed with them. The Prime Minister should, at least, visit the area. With this, I conclude.

[*English*]

PROF. SAIF-UD-DIN SOZ: Hon. Chairman, there must be some reason why hon. Advaniji decided that Mr. Khurana should lead the discussion on behalf of the Bhartiya Janata Party because in this style I read something which I don't like. There are areas in which today for the first time I agree with Mr. Khurana. I will come to those areas.
(Interruptions)

Sir, before I respond to the hon. Home Minister's statement here in connection with the extension of the President's Rule in Jammu and Kashmir State, I want to clarify certain things which hon. Mr. Khurana presented here, some of the points, because it is my duty to put the record straight and tell you how every Kashmiri believes about the situation.

SHRI SOMNATH CHATTERJEE (Bolpur): Are you speaking on behalf of the Government? (*Interruptions*)

PROF. MADHU DANDAVATE (Rajapur): He must be answering on behalf of the Government.

PROF. SAIF-UD-DIN SOZ: Which Government?

SHRI SOMNATH CHATTERJEE: That is a pertinent question. (*Interruptions*) There is no government.

[*Translation*]

SHRI MADAN LAL KHURANA: The Government, in which you were the Minister of Education.

[*English*]

PROF. SAIF-UD-DIN SOZ: Mr. Chairman, I don't feel enamoured of becoming a Minister. Sir, in the interest of the nation I want BJP to change its angle so far as the Jammu and Kashmir State is concerned, and I read in BJP an angle which is very parochial, which is bordering on communalism so far as the Jammu and Kashmir State is concerned. And I am not worried about the people of Kashmir so far as BJP is concerned. But I am worried about this nation because this angle is detrimental to India's unity and integrity. So, I would appeal to Mr. Khurana and others from the BJP. You study the situation in Kashmir rather very minutely and don't draw the conclusions, the type you have already drawn and presented here, in this august House, through Mr. Khurana.

I will briefly come to the points he has raised, not all points. For instance, he has referred to Mr. Jagmohan. He said, Mr. Jagmohan retrieved Kashmir which was going to Pakistan. I say it in this House, without bringing in Jagmohan in a big way—

I brought Mr. Jagmohan during the more turbulent times, 11 months I wept here, I brought his name all the time. But today I want to tell this House that it was Mr. Jagmohan who gave teeth to the secessionist movement there, and I have ample proof about it. In fact, Kashmir was going to Pakistan or becoming free because he gave the movement to Pakistan, he gave the movement to the terrorists there because he pressed them to the wall and now, BJP remembers Mr. Jagmohan, and I am putting the record straight—he was the man. Then he mentioned about Ladakh. There is no problem in Ladakh. In fact I invite Mr. Khurana and his colleagues to my Library. In my very small Library I have the copies of all the reports of the Commissions that were instituted in Kashmir since 1931. Glanci Commission report is with me. I have also with me the reports of Adersein Anand Committee and Gajendra gadkar Committee. I had the privilege of working with him. I represented a mass society before him and his report is available with me. He said something about Jammu, he said something about Ladakh and the latest is the Sarkaria Commission report. It is on record. You can come to the library and I can show it to you. I will prove through those recommendations that there has not been any justice to Jammu province so far as the allocation of financial resources and employment is concerned. Now, in the Jammu province, if some in justice has been done, it is done to the 34 per cent Muslim community. When you speak for Jammu, you create a communal situation and thereby create an impression which is erroneous saying that Jammu Hindus have suffered injustice. That is wrong because Gajendra-gadkar Committee recommendations are with me. Ladakh has been very peaceful, but the BJP is trying to organise some mischief in Ladakh also; only four or five days ago, a BJP Member of parliament went to Ladakh, supported the Buddhists Association there and made a communal speech there. The same evening I got a telephone message

from Ladakh and it was so obnoxious full of untruths and totally detrimental to the interests of this country. I sent a letter to the Prime Minister and marked a copy also to Mr. Rajiv Gandhi because Mr. Rajiv Gandhi's party has been representing Ladakh for a long time and that party, today, is not knowing what is happening in Ladakh and how the situation in Ladakh is being communalised. The speech of the BJP Member is with me. You cannot have a Union Territory for Ladakh; you cannot have a separate State for Jammu. We stand for the integrity of the State; I also state that we stand for the unity of India and you are playing a game which is detrimental to the unity of the State. In Jammu, you say that you should have a separate State and in Ladakh you say that you want to have a Union Territory. There cannot be any Union Territory. Then, I will be the first man to raise a voice because I have told time and again that one who accepts the Constitution of India cannot afford to be a militant because there will be a cause for the people of Kashmir, for the people of Ladakh and for the unity of the State and for that cause I can afford to be a militant within the House.

Mr. Khurana made so many points. I am challenging him on the basis of record. I invite him to the library; I invite him to my house; I will show him whatever I am speaking is true. (*Interruptions*) He made certain remarks which are not correct at all. For instance, he said the officers did not attend the Republic Day function. That is wrong.

(*Interruptions*)

MR. CHAIRMAN: Mr. Soz, you address the Chair.

PROF. SAIFUDDIN SOZ: Sir, I am addressing you. Even when I look to the right I am addressing you. On the Republic Day, I met the Governor and told him that we

should have more advisors because there is a lot of work. They are all bureaucrats; there is not a single person in the State who has a political angle. It is a disaster; it is a police State. Even when they select a bureaucrat, it is from the Police Department because those people have to be taught a lesson. I have told him that out of the three officers, two should be stationed in Srinagar and on the Republic Day, Mr. Marwah, Mr. Beerji and Mr. Veerendra Prakash were to go to rally. They had the programme that one person should go to Anantnag and one person to Baramullah. They absented themselves. The Adviser did not go to Anantnag. The Deputy Commissioner was waiting for him to unfurl the national flag. How could employees go there? Why did not these two Advisers go to Anantnag and Baramullah? Then, he said, the Deputy Commissioners are not issuing warrants and remands. I had gone to Srinagar three days ago and I came back yesterday. By accident, two Deputy Commissioners met me at the Airport. I had met the Governor here three days ago and I told the Governor on telephone that among the other things that I have suggested to the Governor, why is he not giving authority of to DC Deputy Commissioners? They are prepared to issue warrants. The Governor is not yet prepared for it. I will come to the points which I have to make in this House later. I am telling my hon. colleague, Shri Madanlal Khurana that Deputy Commissioners and the revenue authorities are ready to exercise authority whatever devolves on them. But they are not being allowed by the coterie which is manned by the police.

Then, he has said that he has seen the CID report about Dr. Abdullah's activities. I challenge in this House. Let him obtain the report from DIB; let him get to know about it from the Army Generals who have been posted in that State. They will say whether Dr. Abdullah was playing some activities which were detrimental to the State of India.

[Translation]

SHRI MADAN LAL KHURANA: We can place the facts before the House.

(Interruptions)

[English]

PROF. SAIFUDDIN SOZ: Then, he said, the Government bent its knees before the employees when the strike was ended. This is a wrong statement. I was also instrumental in calling off the strike and the credit goes to the Prime Minister because perhaps that was sixty-third day of the strike. You wanted those employees to break down and then they would come. That is what the Chief Secretary told the Governor. I explained the point to the Prime Minister and the Governor not to dishearten them. After all, they are not terrorists they went on strike to express their resentment upon it.

[Translation]

The maladministration and Shri Mufti Mohammad Sayeed was the Home Minister of India was present there unfortunately he is not here...

[English]

I have gone to him also. Shri V.P. Singh happened to be the Prime Minister of this country and Mr. Khurana wanted him to go to Jammu. Did he go to Kashmir? There were so many rape incidents; so many killings. The then Government enjoyed the sufferings of the people, I do not say that the V.P. Singh Government enjoyed it intentionally. But that Government had no Kashmir policy. In fact, at one point of time, they had written off Kashmir. It is the national parties who rose to the occasion and tried to goad that Government here a little and reminded them that Kashmir should be a part of the country.

The strike was ended because the Prime Minister took some initiative. Thereafter, the bureaucracy continued to entrench. They do not allow the present Prime Minister also to do much. But I had explained to the Government, the misery of the people. You say, "The Government bent before the employees."

[Translation]

They were not disheartened and the strike was called off. The banks opened, ration was available & medicines were also available in the hospitals. Thereafter, our name figured in the newspapers. On one hand they said that peace was restored and on the other hand they criticised us.

[English]

They knew that I was also instrumental in getting the strike called off so that normalcy could prevail there. He should have congratulated this Government or the Governor for ending the strike. But you come to this august House to share your negative thinking which is totally unbecoming of a party which has now become the Senior Opposition Party because Mr. Advani has become the Leader of the Opposition.

Now I come to the issue of census. I tell you that militants and terrorists should be dealt with under the laws available. We cannot become a part of militancy or terrorism but I tell you, things are not going on smoothly. You cannot hold census. You can talk to the Registrar General of India. Shri Madan Lal Khurana is again wrong. He says that through delimitation, Jammu will get more seats. He is absolutely wrong. Let us hold census and let us pray that we live longer than the date when the census will be held. I will prove to you that if more seats are carved out, those seats will go to Kashmir. Let us not raise the controversy. But I tell you that a meaningful, correct and scientific census cannot be held

in Jammu and Kashmir unless normalcy returns. Let you and I and others work for normalcy which you are not doing.

I agree with Shri Madan Lai Khurana that there is no dispute about the unity and integrity of India. I agree particularly when he said "When you talk of Kashmir, you should talk about all shades of opinion. You should talk about all people." Here he mentioned that the number of Kashmiris is 20 lakhs or 25 lakhs. You are absolutely wrong. You have not studied it. At least, 50 lakh people speak Kashmiri. I can prove it to you. Therefore, you correct your figures. Correct figures are available with me. One word about Dr. Abdullah who is not here. It is my duty to mention it here. Mention has been made about Dr. Abdullah's interview. That interview is here with me because Times of India reproduced it. He said "You go across and have training and kill people." Sometimes Dr. Abdullah makes off the top remarks. But, you do not look to its intention. You do not look to his nationalism. You do not look to his compulsion. You are always on the look out to see when he makes slip of tongue. So, when he said it, it was just a kind of stress. He emphasised the onslaught of Mr. Jagmohan because Mr. Jagmohan went there and he said before Shri Devi Lal, Shri Rajiv Gandhi and Shri Chowdhary that "We have to finish National Conference and Congress." He did another anti-national thing. He dissolved the Assembly. I do not stand for its revival. But that was an anti-national act. In fact, Pakistan could not do that harm as Mr. Jagmohan did by that foolish act of dissolving the elected Assembly. He had no option in hand. He had no power. The then Prime Minister told me three times "He did not consult me." I am taking this House into confidence. I am also the person who told the Prime Minister Shri V.P. Singh "Kindly do not say it to more people because it does not sound nice to my ears because, you are to advise the President of India. You are to enlighten the President of India on the situation in Kashmir and

on the situation in the country. You cannot say that he did not consult you. Then arrest him. Dismiss him." Then he was removed and he was given the prized seat in Rajya Sabha. In fact, he could be charged not only for genocide of Kashmir but he could be charged even on this day for treason against the country. That is the situation.

[Translation]

SHRI MADAN LAL KHURANA: If you criticise the terrorists, you will come to know the consequences. What have you done during the last 40 years? (Interruptions)

[English]

PROF. SAIF-UD-DIN SOZ: What Dr. Farooq Abdullah said was "You save yourself" and it was a point of emphasis. Dr. Farooq Abdullah does not stand for any kind of terrorism. He is a nationalist, as far as I know. He stands for the unity of this country. Do not read much into his statements. Sometimes he can go wrong and he speaks from his heart. But, you do not go to the core of the thing.

You do not go to the intention. You go by the slip of the tongue. Anyway. If it was a slip of the tongue it hardly matters.

I returned to Delhi the day before yesterday, a very sad man. I was said because since I knew that the discussion was coming up here, I had been going to my Constituency, going to Srinagar. During those times even when Mr. Jagmohan refused to provide security to me, I went there in those days. I wanted to update my knowledge of Kashmir and what I am reporting to you are the things that I have checked up with hundreds of people. I returned a sad man to Delhi because I saw the worst kind of Police administration in Kashmir. There is no civil administration. In fact, Shri Madan Lai Khurana also referred to it but he then withdrew it. He

[Prof. Saif-Ud-din Soz]

did not explain. There is, in fact, no civil administration. The police administration has become a routine thing. They have a vested interest. When I conclude, I will make an appeal to this House. Please save every Kashmiri, common man, and women and children, old and the infirm, innocent people from the clutches of the police administration, which I reject, which I denounce on the floor of the House. The DMs have no authority. Nobody goes to the Tahsildar. Everything is done by two or three DGs. I met the Governor here. Whatever statement I make here, I must be honest to my friends here. I told the Governor that he is going wrong on this issue. But even the Governor seems to be helpless although he talked of his perceptions at various points of time. The Deputy-Commissioners, the DMs are ready to issue warrants of arrest. They are ready to cooperate. The S.P., Kashmir is ready to cooperate. But no police officer from the Kashmir Police force is taken into confidence, is given any authority. Everything is in the hands of the three DGs.

Mr. Chairman, first of all, this Parliament, this august House should take notice of one thing. Though 6 or 7 or 8 or 10 people exercise authority there, not even one of them is from Kashmir; not one of them is from Jammu. I sometimes suspect that the Central Government has continued to ill-treat Kashmir. It is merely a colony. Because I can discuss in the Parliament, sometimes I get an impression that it can be treated on an equal footing. But when I go to Kashmir I find that it is writ large on the face of Kashmir that it is not an integral part of India but it is a colony. I raised a question with the Central Government. In the morning and evening, if you say Kashmir is an integral part of India which according to my belief and perception is, why don't you treat it properly? If you do not agree to send a high-level team, why don't you ask your Home Secretary to do

some research on the things which I am speaking to you? The DG (CID) and the DG (Police) and those two people or three people exercise the entire authority. I told the Governor: "Why don't you decentralise this Administration now because some euphoria has gone. You yourself say there are signs of normalcy. Why don't you provide relief?". But his answer is not satisfactory. I also raised this question with the Governor and in this august House that banks are not working; Life Insurance Corporation is not working; other Insurance Companies are not working; the A.G.'s office has been closed. 13000 employees are receiving their full pay in Jammu and Delhi. Most of them have been adjusted properly here. I am telling you Mr. Somnath Chatterjee that you have transferred 13000 employees; your Central Government offices have been closed and who is suffering? the common man does not get his pension; he doesn't get his document completed in the AG's office. He doesn't get his LIC claims settled. He cannot pay his premium. All the houses were blasted by terrorists during those 13 months and not a single claim has been settled by the Corporations i.e. The New India Insurance Company; the General Insurance Company; the United India Insurance Company and the Oriental Insurance Company. Why are they not doing anything? If you want to get those employees in Jammu, Delhi and Jaipur, then those 13000 jobs should be declared vacant and the State Recruitment Board should be asked to fill up those vacancies. They are not doing that. The common people are suffering. The Central Government offices were closed here not only during Shri V.P. Singh's time but even now whatever little is left, they are closing down.

Today I wrote a letter to Devi Lalji mentioning that the Veterinary Research Institute that was functioning in Srinagar has been closed. It has been transferred to Ijjat Nagar. I raised this question and said that a Kashmiri Pandit Shri Pushkar Nath Bhatt

nearly gave his blood for that institution why don't you call the Vice-Chancellor? I had earlier written to the Agriculture Minister. I told him to call Shri Pushkar Nath Bhatt who was the Vice-Chancellor and the Director functioning at Iijat Nagar and consult him and he would tell you whether this research institute could function at Srinagar. But some employees who come here and who have about in the hierarchy here, they get the things done they like.

As a special case, I invite the attention of this House to the question of employment. I am not worried about it but Pakistan is. It is a worry for those who have to protect the borders. The primary concern should be of the Central Government. Even when there was infiltration, it was not the concern of the State Government, it was the concern of the Central Government. They must contain influx of trade people. Now the speed with which they went, has gone down. They have to control it. To me, it is much more important to say whether we do our home work properly or not. I am particularly worried about that. Now, unemployment is growing in Kashmir. Kashmir is a very small State. In 1987, in the Kashmir Valley alone, there were one lakh people who were unemployed. there was a defect in the recruitment policy because matriculation is the point of entry.
(Interruptions)

[Translation]

SHRI MADAN LAL KHURANA: The number of unemployed in Delhi is nine laks.

PROF. SAIF-UD-DIN SOZ: Nine laks is not too much. The population of Kashmir is too less. (Interruptions)

[English]

MR. CHAIRMAN: There is nothing wrong in what he is saying

(Interruptions)

SHRISOMNATH CHATTERJEE: What about Tamil Nadu?

PROF. SAIF-UD-DIN SOZ: I am worried about Tamil Nadu also. I am particularly worried about the unemployment problem in Kashmir as also in the country. I may tell you that the number of unemployed people in 1987 was one lakh. There are LLMs, MScs, MAs, BEds, and MEds. And only two days ago—one letter is with me and I am forwarding it to the Prime Minister—a person having LLB degree came to me and wanted me to find out a class-IV job for him in Delhi. This is a sad situation. The Prime Minister should have been here. Shri Subodh Kant Sahay should be here to note this point and he should answer as to what are they doing in Kashmir. I do not know whether this Government also has time to think of the Kashmir and solve the problems there.

The Governor had promised that he would institute—I hope Mr. Khurana has also taken note of the points I am making—a grievance redressal cell at the district level so that people could go there and exhibit their mind, narrate their tale of woes and mention about their grievances. He made many tall promises. I do not know what is happening to that grievance redressal cell. It has not been instituted. This cell is very necessary. I may tell this House with all sense of responsibility and I have a documentary evidence also because ultimately I have to make an appeal to this House, that sometimes hard-core militants were released against money by the police administration in Kashmir. But the innocent people are behind the bars. Just today, I wrote a letter to the Prime Minister about two tenth class students who were arrested—two sons of a father—they were arrested in Balamalu in last August. But nothing happened because this is presided over by the DG, Police.

[Prof. Saif-ud-din Soz]

[*Translation*]

In the end I should say—

"Bane Hai Ahaley Hawas muddai Bhi,
Munsif Bhi

Kisey Vakil Kare, Kisi say Munsifi
chashen"

[*English*]

I am complaining against the police administration. Even when I issued letters to the Prime Minister they will be finally placed at Mr. Jaswant Singh's table. When an appeal is preferred, that appeal will go to DG Police and that is the end of the story. This situation has been continuing.

I had also suggested that para-military forces should be removed from the interior Srinagar because they don't perform any duty. They only get involved with terrorists. Police administration is decidedly corrupt. I have documentary evidence to show that most of the innocent people are inside the jail whereas culprits can be released because they pay money. I had suggested that para-military forces should be removed from the interior Srinagar and cities like Baramulla, Sopore, etc. Because you are not going to lose anything. You will only lose day-to-day contact which is unnecessary with the terrorists where sometimes unfortunately the security forces may also get injured or killed. Because Section 144 can be imposed, you can ban assembly of five people. But remove the About one boy his whereabouts are not known and about the other boy they only know that he is in Udhampur Jail. Now where do these people go? They have nobody to go to. If you go to the Governor, it is a funny situation. The hon. Members should understand the agony of Kashmiris. If you go to Shri Subodh Kant Sahay, if you go to the Prime Minister of India, then if you go to the

Cabinet Secretary or the Home Secretary or a gentleman like Shri M.K. Dhar, who is the Special Assistant to Shri Subodh Kant Sahay, or if you go to the Governor Shri Saxena, ultimately the piece of paper or your Faryad or your petition—you may be an MP—is placed at the desk of DIG (*Interrogation*) Shri Jaswant Singh. That Shri Jaswant Singh, DIG (*Interrogation*) is the sole authority in the J & K State. I have even told the Governor to have one Police Offices in Kashmir and another Police Officer in Jammu. But one single officer is meant for interrogation. Unless he issues the certificate nobody can be released. This is the tragedy. So I want that the Governor should institute a Grievances Redressal Cell at the district headquarters.

There is a screening committee. When there was the Kashmir Committee, Mr. Chowdhary was its member. They had also suggested that there should be a screening committee where applications would go and the innocent people would be released. I tried to get that committee strengthened. Security forces from the interior Srinagar because Srinagar gives an image of a city in sieze and it does not do us any good. This is the suggestion before this august House.

I have been crying hoarse in this House that the two draconian laws—one of them is passed here; the Armed Forces Special Powers Act and the Disturbed Area Act—given authority at a very low level and that also to the multiple authorities; Tibetan Border Police, BSF, CRPF, Army, Armed Police etc. At a very low level—a Sergeant or a Havildar—they can open fire. I say it with all the sense of responsibility Mr. Home Minister that these two laws have been misused against innocent people rather than against terrorists.

There are already laws with us. My case is not that terrorists should not be fought. They should be fought. There are already

laws like TADA, there is Penal Code, there is Public Safety Act. So my case is that those two draconian laws should be withdrawn. Innocent people of Kashmir have suffered because of these two draconian laws. Sir, I have written a letter to the Prime Minister recently. I wanted to take the House into confidence; anyhow, I will not. I have a strong case against these two laws which should be withdrawn.

Sir, now the hon. Home Minister justifies today in his note, that the situation in Kashmir is messy or the situation is not conducive to elections. I agree with him. But I want to put a question to the Home Minister, Shri Subodh Kant Sahay, as to what is he doing, in order to resume political activity. If you say political process, it is mis-interpreted in the Press. This is not my case and I do not come forward to revive the Assembly. That is a legal proposition; that is for the court of adjudication in Jammu & Kashmir to take any decision. If it is a political proposition, it is for the Central Government, because the Central Government will have to present its affidavit there. My case is that the time is opportune for some political activity in Kashmir. Even if any hon. Member—it may be a BJP Member—writes to the Governor for the release of an innocent person, nothing happens. The Governor does not consult anyone, in Kashmir State, from among the politicians—they may be Members of the dissolved Assembly, they may be Members of this Parliament from Jammu & Kashmir State. The Governor was advised by the people to have an advisory council. I do not want to be a member; I am not enamoured of that position. But, some one—it may be Shri Mangat Ram from Jammu; it may be Janakraj Gupta; it may be Dharm Pal; it may be Mohammad Shafi—could be there; and there could be an advisory council. The three advisors do not want a fourth man to come and the police administration are enjoying the vested interests. Hon. Home Minister should rise to the occasion and he should

advise the Governor to have an advisory council there. If he cannot hold the elections, he should also tell us as to what is he going to do for resuming the political activity.

MR. CHAIRMAN: Please wind up.

PROF. SAIF-UD-DIN SOZ: Sir, since the bell was rung for the third time, I will say only two things. (*Interruptions*) Sir, I have to make an appeal to the House. I had many things, but I will mention only two things because I want to save the time of the House. We have said a lot—myself, my colleagues from Congress and National Conference and others also—about Kashmir. I want to repeat my earlier appeal. My comrade Shri Chatterjee was saying that the spirit remains the same. No. Now, much water has flowed since then.

SHRISOMNATH CHATTERJEE: I said, "The speech is with less venom".

PROF. SAIF-UD-DIN SOZ: My point is this that, what has gone wrong in Kashmir has to be looked into by a commission of inquiry. There should be a commission of inquiry. As for political activity and political process, whatever little we can do, we shall do. But, the commission of inquiry should be there in order to straighten the records for prosperity. We must find out where we have gone wrong; where the Governor has gone wrong; where the present Governor must have gone wrong; where the Central Government must have gone wrong; where the police administration must have gone wrong. (*Interruptions*) Sir, Kashmir *pandits* in my State have suffered a great deal.

Sir, I want today to repeat my appeal to this House. Shri V.P. Singh has failed because he had no Kashmir police. But, let us try with this Prime Minister who said that he had a policy. At least he gave his support to resolving the strife there. My appeal is that, kindly send a parliamentary delegation

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to Kashmir and if you cannot shed tears with Kashmir, at least you kindly understand the dimensions of their misery and trouble. May be, they do not stand for Pakistan for instance, may be they do not stand for militants, maybe they have to narrate the story to you, maybe they want to share their agony with you. You have already delayed it. I appeal to you today, to kindly organise a parliamentary delegation and visit Kashmir as early as possible. That delegation can go to Jammu and see how Kashmiri Pandits particularly suffered a great deal as migrants there. They cannot enjoy refugee status. They have to go back to their homes. Recently Shivratri was celebrated in Kashmir. There were 15,000 Kashmiri Pandits there. If all-party parliamentary delegation goes there, they will see that Kashmir situation is not communal. There is terrorism and violence and Kashmir is not communal. You will see that on Shivratri day on Srinagar Television, one very brave producer produced a programme. That should be televised here. Mr. Subodh Kant Sahay, that should be televised here on Doordarshan: how Kashmiri Muslims and Kashmiri Pandits celebrated Shivratri; how they were on the side of their brethren and how they took a vow to be together in future. (*Interruptions*)

[*Translation*]

KUMARI UMABHARTI (Khajuraho): Mr. Chairman, Sir, it is unfortunate that he has neither spoken about the refugees of Jammu nor... (*Interruptions*)

[*English*]

MR. CHAIRMAN: Shri Hari Kishore Singh.

(*Interruptions*)

SHRI DHARM PAL SHARMA: The

question is that Congress is the largest party in the House. (*Interruptions*)

[*Translation*]

You started with B.J.P. It is all right. Now, I will speak before anybody else.

[*English*]

You please give me time. (*Interruptions*)

MR. CHAIRMAN: No, no, your people are always accommodated.

(*Interruptions*)

MR. CHAIRMAN: Your people said so.

(*Interruptions*)

That's why Deputy Speaker left, he told me to call Prof. Soz. Next will be the Congress.

(*Interruptions*)

SHRI DHARM PAL SHARMA: I belong to that State.

MR. CHAIRMAN: Next time, I will be calling you.

(*Interruptions*)

[*Translation*]

SHRI HARI KISHORE SINGH (Sheohar): Mr. Deputy Speaker, Sir, today we are discussing an issue which is very tragic. It is very shameful for us that in a State like Jammu and Kashmir, President's Rule is being imposed time and again, terrorist activities are increasing and secessionist forces are raising their heads there. During the freedom struggle Kashmir was the only State where Pakistani movement was at a low key.

Even leaders like Mohammed Ali Jinnah did not have the courage to enter the State. Then why did there thing, take place there? Why such a sad situation was created there? Why such a disorder was created in Kashmir which is regarded to be our glory and the crest of our country? I feel that it could be the outcome of our mistake committed in 1953 or of a similar mistake committed in 1984, that our hon. friends are enforcing Article 356 openly and fearlessly. I am of the view that it is only due to misuse of article 356 that terrorist movement has spread in Kashmir. Had the Government of Dr. Farooq Abdullah not been dismissed in 1984 and rigging not done in 1987 elections, everybody knows that the blood shedding of our countrymen in Kashmir would not have taken place it.

I would like to make a humble submission and like to know the reasons as to why the Farooq Abdullah Government was dismissed in 1984? Was it his only fault that he had convened a meeting of all the prominent opposition parties in 1983 and consequently he was charged with treason and his Government was dismissed? If I am wrong I request my hon. friend, Shri Soz to correct me. After sometime, the leaders of then ruling party in the state and the leaders of the then ruling party at the centre became friends. In 1987 the State leaders entered into an alliance with them. Having seen irregularities in the elections held in the State at that time, the youth and the citizens lost their faith in the democratic system, the electoral system and the free and fair elections system. Thereafter terrorists incident's started taking place there. The Government of Assam & Tamil Nadu have been dismissed under Article 356 of the Constitution. The people of the country will give their verdict against this action. The Government is also thinking of taking similar action in Bihar under Article 356.

SHRI YUVRAJ (Katihar): In view of the

present law and order situation in Bihar, there is also a need to impose President's Rule in the state.

SHRI HARI KISHORE SINGH: You might have relished the idea but I would like to warn you not to commit the mistake of imposing President's Rule. (*Interruptions*)

PROF. MADHU DANDAVATE: If President's Rule is imposed in Bihar, it will be on our dead bodies. (*Interruptions*)

SHRI HARI KISHORE SINGH: I have highest regards for you, please do not do so. I would like to request my hon. friend, Shri Subodh Kant Sahay not to share the sins of their supporting party, Congress under Article whether it is Assam or Bihar or Tamil Nadu on which the Government is throwing its long sight...

SHRI SUBODH KANT SAHAY: You just peep into your conscience and say.

SHRI HARI KISHORE SINGH: I am speaking with an open heart. I am speaking from my conscience and requesting you not to do so I have great affection and regards for you and that is why I am asking you not to do so. It was imposed in Tamil Nadu and the country will have to pay its price. Agitations take place where ever democratic system is assaulted. People take to weapons. It is nothing new. (*Interruptions*) That is why the situation has deteriorated in Kashmir and the same problem is still there today. (*Interruptions*)

I did not dismiss Farooq Abdullah's Government in 1984. I did not give him a patriot's certificate in 1987 after entering into a friendship with him, nor had I given traitor's certificate to him earlier.

SHRI SOMNATH CHATTERJEE: Who said Shri Farooq Abdullah an anti-national? Who had dismissed him? (*Interruptions*)

SHRI HARI KISHORE SINGH: As such do not try to hide your sins. (*Interruptions*)

[*English*]

MR. CHAIRMAN; I have allowed only Mr. Hari Kishore Singh to speak. But I am hearing so many other voices.

(*Interruptions*)

SHRISOMNATH CHATTERJEE: There is a limit to hypocrisy. (*Interruptions*)

[*Translation*]

SHRI HARI KISHORE SINGH: Mr. Chairman, Sir, the present problem calls for a political solution. Our hon. friend, Shri Soz made several complaints. I request the Government to constitute an Advisory Committee comprising of the members of Parliament from the State. There was a convention that wherever President's Rule was imposed, in a State an Advisory Committee, comprising of the Members of Parliament from that State, was constituted. What is the difficulty in case of Jammu and Kashmir.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJAY SINGH): What was the difficulty with you at that time?

SHRI HARI KISHORE SINGH: You want to know what was the difficulty? Have you lost faith in all the hon. Members of Parliament you constitute a committee of the Members of Parliament. If you want to solve the Kashmir tangle, please constitute a committee of all the political parties. Constitute an Advisory Committee. Even the problems which appear to be minor now, become complicated later on. Will the Government depend only on the Governor and his advisors, D.S.P. and the S.P. only to solve these problems or start the political process in the

State. Please constitute an Advisory Council of the citizens from top to bottom. Then only there could be a solution to this problem.

Mr. Chairman, sir, there is also an international aspect of this issue. Our neighbouring country Pakistan had a hand in complicating the problem.

I am happy to note that our hon. Prime Minister, has a friendly relations with his Pakistan counterpart. Our Prime Minister considers him as his friend. I want that this friendship should not remain confined to personal level but should be at national level. As a follow up to this friendship the Government of Pakistan should stop availing terrorist activities in our country and importing training to Kashmir terrorists. The Government has enough proofs in this regard and has shown them to Pakistani authorities on various occasions. As long as it is not stopped, I do not agree that any change is going to take place by making sweet talks at the personal level. The whenever Government of Pakistan is in trouble, whether it is the present one, the previous one or even the earlier one, they try to raise the Kashmir issue. It is being raised today and will continue to be raised tomorrow also. I would like to know whether the training camps being run in Pakistan to impart training to terrorists have since been closed or not. I would also like to know if the terrorists still infiltrate into our country across the border? If so, what action is being taken by Government in this direction? What is the utility of friendly relations in this matter?

Finally, I would like to say a few words about regional imbalance. Our hon. friend, Shri Soz said that Jammu and Kashmir is facing the problems of poverty and unemployment. The problems of poverty and unemployment is there everywhere in the country. The problems of regional imbalance and economical development exist in

many parts of the country. What action Government is being taken by the Government to solve the problems of economic development, economic problems etc. in Laddakh, Jammu and Kashmir or any other parts of country which are facing these problems. I do not agree that the Jammu region, the Laddakh region and the Kashmir region are separate from one another. But all the three are facing the problem of regional imbalance I would like to know as to what the Government is going to do in this regard?

Lastly, I would like to submit that the Kashmir problem is a national problem. It is not the problem of any particular party. A solution to this problem should be formed one from a national out look with general consensus. It should not be used on the basis of party politics. The Kashmir problem is our national problem and it should be solved at the national level. The political process should be started in the State. I do not know how my view will be interpreted. But I feel that political process should be started by constituting an Advisory Committee comprising of the Members of Parliament and representatives from the political parties with out further delay so that. People's problems could be solved. It is a very sad issue which has came up in our national life. It should be solved. With these words, I express my thanks to you.

[*Translation*]

S. ATINDER PAL SINGH (Patiala): Mr. Chairman, Sir, I want to bring to your notice that six farmers have been shot down in Punjab...

(*Interruptions*)**

[*English*]

MR. CHAIRMAN (Dr. Thambi Durai):

We are now discussing Statutory Resolution regarding Jammu and Kashmir. This is not the time to bring this matter like this... This is not the way to bring these things before the House.

Noting is going on record.

(*Interruptions*)**

MR. CHAIRMAN: Nothing will go on record. You give notice whatever you want to say. Not like this. Give in writing whatever you want to say.

(*Interruptions*)**

MR. CHAIRMAN: Nothing is going on record.

Shri Dharam Pal Sharma.

[*Translation*]

PROF. MADHU DANDAVATE: We will be here and let him raise it on the next working day after the question hour.

S. ATINDER PAL SINGH: OK. I resume my seat on this promise.

SHRI DHARAM PAL SHARMA: (Udhampur): Mr. Chairman, Sir, I want to draw the attention of the House to the serious situation in Kashmir. Why was it felt necessary to extend the President's rule there. The Assembly has been dissolved and elections cannot be held there. Those who got the Assembly dissolved feel that they have committed a grave mistake. From January , 1990 to December 1990 there have been fifteen hundred cases of collusion and 156 persons have been kidnapped. There have been 46 rocket attacks in which 466 civilians have been killed and 135 secu-

[Sh. Dharam Pal Sharma]

rity personnel have lost their lives. There have been 183 incidents in January, in which 44 persons have been killed, out of which 29 were security personnel. Till now 550 militants have been killed and two thousand forty have been apprehended. The administration has been maintaining throughout that there are four to five thousand Pakistan trained militants who are staying near the border. Large number of militants have been killed and weapons have been seized. 1240 AK-47, 550 Machine guns and rocket launchers and over two lakh bullets have been seized. 550 militants have been killed and two thousand forty have been arrested but even then the danger is increasing. There were reports that as the mountain passes were closed because of heavy snowfall the terrorists could not infiltrate any more. I had emphasized during the discussion on Kashmir on 11th January that we had with us only 2 months to contain terrorism in the valley i.e. upto 15th April. I had drawn the attention of the house to the gravity of the situation as four to five thousand persons in the valley were armed with weapons and ammunition. Their pressure is mounting. A rocket was launched from a mosque on the UNO office. I would like to say a few words about the conditions in the valley. The founder of Jammu Kashmir Liberation Front Mohammad Maqbool Butt was hanged to death on 11th February in Tihar Jail. This year on 11th February his death anniversary was observed. In Baramulla and Kupwara Azad Kashmir flags were hoisted and militants saluted the same in uniform. On 11th February a function was organised at Hazarthal mosque by the militants. It was celebrated with pomp and show objectionable slogans were raised and inflammatory speeches were made. A five rupees postal stamp of Mohammad Maqbool Butt was also released on this occasion. On the reverse was written Shaheed-e-Azam Mohammad Maqbool Butt. They have is-

sued currency notes also which have not been seized so far. The postal stamp are available with some persons.

16.00 hrs

They left after delivering speeches. The militants belonging to Hizbul Muzahideen threatened the revenue officials to get the houses of custodian vacated from where they used to recover rent. Fake state subject certificates were issued. The guilty officers should be brought to book. The permanent or temporary residents belonging to other states were asked to go back. I want to draw the attention of the house to the conditions prevailing in the valley on 11th February. Under these circumstances when they are not getting any aid or weapons infiltration is the only course left. The Government admits that five thousand militants are sitting on the border. How can the problem be solved then? There are some positive aspects also. I would present both side of the picture before the house. It would be injustice if I say that fear and terrorism is holding sway over the valley. Women in Baramulla came out of their houses- through their number might have been two hundred only and shouted slogans against terrorism. They raised slogans of "Hindustan Zindabad." Similarly, when DCP and SHO in Badgam were killed people raised slogans against terrorism. Similarly a person went inside a mosque and announced on the mike that if his son was not released by the militants within one hour he would lead a procession against the militants. The militants were forced to release his son. This is positive aspect of the picture. People talk of excesses. I would like to urge the political leaders and Shri Chatterjee that leadership is absent there whether it is of National Conference, Congress or Tarigami Sahib's. They are either camping in Delhi or elsewhere. They have their own opinion. The terrorists are afraid and the people do not want them. I would like to appeal that the ex-

MLAs and Ministers who are camping at Jammu should be given facilities and provided security so that they may meet the masses in the valley. The people want to tell them about their trials and tribulations. The M L A hostel in Jammu has become Durbar these days. The economy of Kashmir has shattered. The poor craftsman, taxi drivers and artisans had to fend for themselves for the last one and half year. Tourism which is the ministry of the economy has also been abandoned. Steps should have been taken by the Government and the leadership should also have mustered courage to go there. The leaders participate in the processions and functions in Punjab. Why can't they go to Kashmir? Why are they afraid the people are with you. The leaders should go there.

There is another positive sign. There was a strike on 21st February. Prior to this strike was organised on 26th January. The terrorists who were in the Jammu Jail celebrated 26th January, hoisted the Indian tricolour and raised slogans of "Hindustan Zindabad". Television personnel had gone there and those associated with "News track" programme had also gone there. The militants raised slogans of "Hindustan Zindabad." in front of them. It is a good sign. But in spite of this we find not much difference in this Government and the previous Government. It has been said that there is a policy regarding Kashmir but I have not come across any.

SHRI BHOGEN DRA JHA (Madhubani) : Subodhji was the Minister in charge earlier and even more he is holding the same portfolio.

SHRI. DHARAM PAL SHARMA: I had pointed it to him earlier also and once again. I want to draw his attention to it. The previous Union Home Minister was from our State but he never consulted us. At least Subodhji could have consulted us but he too went to

Jammu without informing us. There was a practice during the congress regime that whenever a Minister visited a constituency, he used to inform the concerned M P about it. He had gone there to take stock of the situation. He had been meeting the administrative authorities earlier also. Probably he might have met Shri Janahraj. I have a grouse against him that he did not meet me and he neglects us. It is fine that we are not in the Government. I asked for appointment twice and once he PA spoke to him. I requested him that the matter is urgent. I wanted to give an important information.

16.05 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

I did not have any personal work. The information was that terrorists were having a field day in Jammu and they had entered Delhi too. Even today the word JKLF is written on lift no.2 of J & K Guest House in Chanakya puri. It is written everywhere in the rooms, on the walls and furniture, for the last six months. They wipe it out put it appears again. This is your own intelligence, report that such things are happening J & K Guest House and other Government Guest Houses. I had said her that the JKLF Chief had landed in Jammu on 16th November. I wanted to give this piece of information to him as well but he did not want to listen. When he goes there he does not listen and he listens to the point of view of the administration only. The bureaucrats are ruling like the NAWABS. The Governor is doing a good job. Central advisors are also there. But when he does not help nor do the advisors what will the people do. I do not know what are the latest directions in this regard? There were some direction earlier. Now we do not know. What is the main reason for terrorism in the state? Earlier there was an atmosphere where in developments activities were encouraged. We used

[Sh. Dharam Pal Sharma]

to demand electrification, roads, drinking water facility, pucca pendsete. We used to take keen interest in the developmental activities. We told the advisors thrice that Development Boards should have evolved and MLAs, MLCs and MPs should be involved in them but they pay little attention to it. This time also budget of the State would be presented in the parliament.

What is the future target of your work, whether it is implementation or anything else. There is no accountability. I would like to know what is the problem? There are six MPs from Jammu and Kashmir State and three advisors what is the problem if they include me also for giving the counsel? It is not now, it has been there for the last three months. We represent people and we will speak on their behalf.

So, we say where has the Government money been spent? I wanted to ask about implementation, plan, and the involvement of people, because we are never taken into confidence and no information about all these things is given to us. I am informed that the funds would lapse if these are not utilised, if the funds are not utilised in the snow-bound areas, at least do so in the plains. We have shortage of drinking water and roads, if the funds are not utilised, these will lapse. Whether the funds earmarked for development can be utilised somewhere else? I would like to ask the Government when it will bring the budget for J & K. I am informed that you don't utilize the funds on development works. Question is not whether the funds reach the people or not but if the allotted fund is for J & K States, it can be utilized in Udhampur if not in Jammu constituency. Does it make any differences? I want to know whether the money will be utilised in the development works. We have asked this thing previously also. The Prime Minister presented the Supplementary Demands on 10th January, 1991, when I raised the question that there

are 5-6 power projects like Dulhasti, Bagalkote, Bagliyar, Salal-II phase for which funds may be provided. I have a report that there were funds in the Seventh Plan for Bagalkote and Bagliyar projects but now I have come to know that these two projects will be taken in the Ninth Plan. Prime Minister has made a commitment that there won't be any paucity of funds for the development of Jammu and Kashmir. Please note it. Bagliyar, Bagalkote, Deul Hastie-Phase II, Salal, Seva Hydel Projects are in the Eighth Plan.

Mr. Deputy Speaker, Sir, there is President's Rule in Punjab and One Lakh thirteen thousand Kanals of land and 22 villages will be submerged in the Thein dam resulting in the uprooting of Ten thousand people and you have given compensation at the rate of Rs. 8 thousand per Kanal. You have given compensation in Uri and Upper Sindh at the rate of Rs. 25 thousand. So give the same amount to the affected people. Punjab Government has also committed for Rs. 8 crore. The meeting of Northern Zone Council was held in Srinagar and the then Home Minister Buta Singh was also present in the meeting. Siddhartha Shankar Ray was the Governor of Punjab. He said that our roads, 22 villages, and the whole of Punjab belongs to us. A bridge is to be constructed there and a commitment has been made that Punjab Government will give Rs. 8 crores to Jammu and Kashmir for its construction. I requested the present Governor Shri Varma to write a letter granting rupees 8 crore at the earliest possible so that the construction of the bridge is started. This is my demand. So far the developmental work is concerned, I would like to remove the misconception of the leaders of C.P.M. present here. The problem of unemployment is throughout the country. If you think that the problem of terrorism in Kashmir is because of unemployment, it is totally incorrect.

I want to keep it on record, Mr. Soz has left.....why? Because the question is

political. These Doctors, Engineers and the sons of big officials who are living trained would not be there when Jagmohan said than he would create 15 battalions of B.S.F. and the salary would not be disbursed on 1st June. J.K.L.F. said that Jagmohan will give Rs. 1500 a month and they will give Rs. 5000. I was surprised that money is being given. Arms would come from Arab countries and Pakistan. All those arms are coming into Kashmir which America had given to Mujahids to use against Afghanistan. I don't know whether the caning of arms has stopped but the question is of political base and it is not new. Mr. Khurana has come. I would say that you have some misunderstanding that the tricolours is not flying there. It is not to me. One tricolour is flying on Raj Bhawan and the other is flying on the Congress party's office located on Maulana Abul Kalam Azad Road.

SHRI. MADAN LAL KHURANA : It is not in Lal Chowk?

SHRI. DHARM PAL SHARMA: A flag is flying on the Secretariat. Lal chowk was a place where rallies were held but it was prohibited by Sheikh Sahib. No political party can hold a rally or hoist a flag there.

SHRI MADHAN LAL KHURANA: How does the Pakistani flag fly at Lal Chowk?

SHRI DHARM PAL SHARMA: Flying of Pakistani flag is not a new thing. It has been there since long. You might have seen that Pakistani flag hoisted when there is a cricket match and on 26th January and 15th August also. A chowk in Baramulla was named after Mr. Bhutto during his lifetime. This is not new, this has been a past practice. Politically you may whatever you like, Madan Lal Khuranaji, all the same may say that Shyama Prasad Mukherjee was arrested and died while fighting for abolition of the permit system then prevailing for entry into Kashmir. He was released from the prison and he

breathed his last in the hospital. Thirty - eight years have been passed since them. After a lapse of thirtyeight years, if you wish to go to Lal Chowk, nobody will allow you to do so. Though the boys from Kerala, Madras, from (All India Students Council) Akhil Bharatiya Vidyarthi Parishad were sent by you from Jammu to Udhampur. Since it was their Government they allowed the students to go upto Udhampur only. Nothing came out of Ratha Yatra, now "bread" has also been associated with the name of Rama. (Interruptions)

SHRI MADHAN LAL KHURANA: How do you say that nothing happened? (Interruptions)

SHRI DHARM PAL SHARMA: What for are you fighting? Is it for the cause of Hindus? We are also Hindus and we also feel provide of being Hindu. You say that you distributed 1.5 lakhs of blankets among people, all the same we also distributed 30 thousand blankets in Jammu. (Interruptions)

SHRI MADHAN LAL KHURANA: We despatched one lakh blankets from Delhi. (Interruptions)

SHRI. DHARM PAL SHARMA: I may inform you that the day before yesterday, Shri. Janak Raj and MPs from Punjab submitted a memorandum to Prime Minister to give more Blankets and more facilities to the migrants, such as issuing of permanent cards, settlement of their pension cases and accounts and other such facilities. We also provided many facilities to them. We are also worried that they have migrated, but the question is that they were not to be brought here. It was better to settle them there at Anantnag, Baramulla and Srinagar and provide security to them. So request Shri Subodh Kant to create such an atmosphere so that these people may return back. Some people play politics by exploiting Hinduism.

[Sh. Dhar. m Pal Sharma]

Some of us are demanding for reverting back to the position of 1953. Please listen to me, the conditions of 1953 are in noway acceptable to the people of Jammu and Ladakh. Now the question is that of the remarkable features of 1953 position. Firstly, the office of the Chief Minister of the State may be renamed as the Prime Minister as it was previously. Secondly, there should be no Governor but Head of the State instead who will be elected by the State Assembly. Thirdly, the state of Jammu and Kashmir should not come under the Jurisdiction of the Supreme Court. These conditions are in no way acceptable to the people of Jammu and Ladakh. Besides there are other points also which I am not mentioning. So the position of 1953 is not acceptable to the people of Jammu and Ladakh. You may say anything in addition to this but so far we are concerned.

[English]

We believe in unity and integrity of three regions of the state. You cannot ignore Jammu and Ladakh.

[Translation]

We believe in the unity of the country. You may take any decision but you cannot ignore Jammu and Ladakh. I want to emphasize on it, So that it is on record. Our Prime Minister has said so many things regarding Punjab and Kashmir. I think there are mainly two groups — one is the Hizb- ul- Mujahideen. Jamait - i - Islamics group have said that they are coming but they demand that U.N. Resolution of 1949 should be accepted. They are in favour of Referendum and self-determination. So far self-determination is concerned, when there was an agreement with Indiraji regarding Plebecite in 1975, that is gone now. Everything was decided then. An important point in that agreement was that:

[English]

All those laws which have been introduced in the state after 1953 will be reviewed whether they are beneficial for the state or not.

[Translation]

I would like to say that at that time a committee was formed under the Chairmanship of Mirza Beg. It included D.D. Thakur, who is presently the Governor of Assam. The Committee presented a Report that all law and amendments implemented by the Parliament in the state of Jammu and Kashmir are for the welfare of all the people and there ends the whole matter. So far Plebecite or self - determination is concerned it was opposed in 1977. We admit it because there was the Government of Janata Party at the centre and Shri.L.K.Jha was the Governor of The state. Everybody admits that there were fair elections everywhere. Nobody says that the elections were not fair in 1977. We also admit it that time Sheikh Sahib and Mirza Afzal Beig had said that if they will give up other minor disputes, this is the real plebiscite. They fought elections this very point. That is the elections of 1977 which were considered fair by all, were fought on this very issue and National Conference came into power on the basis of its own strength. With that the matter, the question of self - determination ended. No question regarding Referendum, or revival of the position of 1953 or the U.N. Resolution of 1949 was left. So I would clearly say that whatever decision is taken, the people of Jammu and Ladakh should be taken into confidence positively because the three communities have been living together and they will continue to do so in future also. Then I said that nearly 129 Jawans were killed there and an equal number of Jawans was killed in January itself. Pakistani agencies are also participating, and so far our information is concerned,

we are informed that we are defamed there, and our forces are working there in tight conditions. There is no need to recall our forces from that area. The question does not arise, because I think it is a disturbed area. Punjab is also a disturbed area. Our aim is that the pressure on the terrorists should be increased. Since very recently there has been a snowfall, and I am informed that the activities are going on the form a parallel Government in Kashmir. They not only went to form a parallel Government but even they have printed the postage stamps, and currency notes have been circulated among the people. So and have hoisted this flag the Government should deal with the issue of the parallel Government as firmly as possible. All the same local administration should also be looked into. All the high officials deputed from this place should be capable people. Unless they are capable, they wont get the co-operation of the public, nor there be any involvement of the local people, the improvement of the situation want be streamlined. So the Government should depute able officers to the valley. There are many Muslims who have a secular out look. There are so many other people among Hindus also. You may have to take them into confidence and delegate powers to them. This problem is not such which can be solved by 4-6 people. Unless the local people will assist the Government, the solution of the problem is impossible.

This is your policy. You want an administrative solution. The previous Government and perhaps you too do not understand the elected representatives of that area. Today we had an appointment with you but you were unable to meet us and we can give you some advice. We know you better then the I.B. people. I request you to send at least six M.Ps to the state, whichever party they may belong to. The reports being received from there are encouraging. As I told you in Baramulla 200 women joined the protest march. *(Interruptions)*

MR. DEPUTY SPEAKER: Sharmaji you have spoken for 26 minutes. There are 5-6 members waiting for their turn.

[English]

You have to stop now.

SHRI. DHARM PAL SHARMA: I am completing within a few minutes.

[Translation]

We want to co-operate . This is a national problem and not something that concerns a single individual. Secular and democratic forces should write. There is a favourable atmosphere in Kashmir. People are united. We have to fight for fundamentalism and socialism. Leaders of all parties should visit the State.

Sir, in Jammu also the situation is not good. 78 people surrendered in January alone. Day before yesterday, two bombs exploded at Jammu bus-stand. Three rockets were fired at an Indian Oil tanker. Luckily the tanker was empty. If any of the tankers parked nearly had been hit the entire Gandhi Nagar area would have been devastated. So I would ask the Government to strengthen its intelligence network also. Everyone's co-operation is needed. These problems have been pending for long. The grievances of the majority of the population of the state must be redressed. They contend that they have a very low representation in the various Central Services like the telephone industry the Posts & Telegraphs and I.A.S. and that this should increase. They also contend that their share in the investment in central projects is very less. They are quite right, their share must increase. Then they want to maintain their identity and they are perfectly justified in demanding this.

(Interruptions)

[English]

MR. DEPUTY SPEAKER : Now you must complete.

[Translation]

SHRI DHAR M PAL SHARMA: Sir, I am concluding now some people were suspended there. Now the Government is providing training. Attention must be paid to these aspects.

Sir, with these words I support the bill for extension of President's Rule in the State as elections cannot be held there. I am grateful to you for giving me an opportunity to speak.

SHRI YUVRAJ (Katihar): Sir, I have risen to support the Bill brought by the hon. Home Minister to extend President's Rule in Jammu & Kashmir for a period of six months from 3rd March, 1991.

I am supporting it because the present situation in Jammu & Kashmir is pitiable. But our Government's efforts have succeeded to some extent in restoring hope among the people. The local population is now thinking of initiating the political process again in the state.

Sir, terrorism in Jammu & Kashmir has adversely affected social and economic life in the state and serious note must be taken of this. But we don't agree that the only way to solve this problem is to use weapons. I agree with the hon. Member that a committee of MPs must be formed to deal with the problems of that region. The hon. Member gave a detailed account but I want to say one thing. The situation has improved to some extent after the appointment of the Governor. The Government's policy regarding Kashmir is related to its policy regarding minorities. So an improvement in the situation in Kashmir is necessary to maintain a

communal balance in the country. This calls for an extension of President's Rule in the State for a period of six months. When the situation improves, steps should be taken to form a democratically elected Government in the State. I would like to draw attention towards a particular point. When a neighbouring country like Pakistan shelters terrorists and supplies arms to them, there is no attractive but to strengthen our armed forces so that no can dare to cross over to this side and create panic in our country. Our Government has taken steps in this direction. I don't want to level allegations, on any Government but hon. Shri Chandra Shekhar invited Shri Farooq Abdullah, Shri Mr. Qasim and Shri. Karan Singh to seek their co-operation in finding a political situation and making people realise that terrorism and chaos will not solve the Kashmir problem. The Kashmir problem can be solved in a democratic manner and there is no place for violence in democracy. But merely speaking of non-violence and democracy will not do. Efforts must be made to improve the economic lot of the common man in Kashmir. RBI has increased the period of welfare schemes and industrial development by one year. The I.D.B.I. also has begun to take interest in the development programmes. But development cannot be done successfully if people are finding it difficult to live peacefully. As peaceful environment is a must for development work to take place. It is essential to make the local population understand that development, be it in the field of industry, agriculture or education is not possible in a tension-ridden environment. I once again repeat that it is not a question of B.J.P. or Congress but an issue that concerns the entire nation. But we cannot make any compromises at the cost of the unity and integrity of the country. We can act only within the framework of our Constitution. All parties have to discuss ways to change the present situation in Kashmir to a favourable one so that there is an improvement in the economic condition of the

common man in the state. With these words I end my speech.,

[English]

SHRI SAIFUDDIN CHOUDHURY

(Katwa): For some months in the past the important question in our country were being ignored because some of us were engaged in small matters, self-seeking matters and we did not have the time to pay attention to critical questions like Kashmir, Punjab or other situations. I remember that some months ago, in this House, while taking part in the discussion on Kashmir, I mentioned that there was an indication of change for the better. Today I have no regrets for saying that, because that has been confirmed by the situation on the ground today.

Since the removal of Mr. Jagmohan as Governor, the possibilities of rectifying the de-generation in Kashmir became brighter. I do not agree with Mr. Khurana when he said that Mr. Jagmohan was the best person for the Centre to offer to Kashmir. His attitude of dealing with the situation was totally devastating. He was in a way responsible for pushing the people of Kashmir away from India while they were being pulled to the direction of Pakistan by fundamentalists and secessionist elements. After his removal, there was a perceptible change in the attitude of the Central Government i.e. to democratic between the hard-core element of terrorists and those misguided who might have taken to arms and also to demarcate the general mass of people and how to deal with them. The Jagmohan era was to treat all the people of Kashmir as enemies of India. He did not take any measures of economic development. He only took police measures. To some extent, it was very necessary to deal with the hard-core terrorists. Those who were wielding arms they had to be dealt with arms. Those who were getting support and succour from across the

border, they had to be dealt with like that. There was a need to take effective measures to seal the border as far as possible to see that the terrorists, who are being trained across the border, are not in a position to come into the valley and create havoc. All those measures were supported by the whole of the country. But when it had crossed the limit and brought the repression type of situation in the minds of the people, then we really raised our voice in the House and we demanded ouster of Mr. Jagmohan. That was the right thing we did and his removal was very necessary. After that though from the Centre nothing much could be done and there so far months also still I recognise as the Prime Minister has said, due to natural situation and weather condition and also due to the policy of the security forces the situation has improved. We have the reports that the militants are surrendering to our security forces. There is a report that 4000 militant youths across the border are willing to surrender because many of them are disillusioned. They thought that azadi would come. They thought that they would have the opportunity to march to Pakistan. Now they understand that this is not going to happen.

The kind of treatment that is meted out to them by the Pakistani authorities, has also disillusioned them. On the contrary, the kind of treatment that our army has given to them, has really helped to win the minds of many of them. This is one thing. The second thing is that while we had that Committee on Kashmir Affairs and we had visited the Valley twice, at that time also we had seen that people in the Valley are willing to talk to the political personalities and they have not fallen prey to the communal propaganda. Though the fundamentalist elements are trying to project it as a communal situation, but on the ground the people are not communal. They might have their grievances. They are misdirected, misguided. Many of them are sold out. But the vast mass of people are

[Sh. Saifudin Choudhury]

waiting for an opportunity to talk to the political personalities. Whatever little we could start in terms of political interaction, not political process, has also got a set back later on and that has not been revived yet. I feel that Prof. Soz is right in saying what he has said with regard to this. So, the point is not to reactivate the political process just now, the point is that political personalities interact with the people. That is very necessary. While the disillusionment of the people about the terrorists is growing, this is the right time that we reach vast masses of people and talk to them and, on the other hand, we take up developmental measures also. There are many poor people living there - auto-pullers, houseboat owners or those who earn their livelihood from that, the craftsmen and all that. Therefore, it is very necessary to revamp the administration so that on the ground they are closely concerned with the mass of the people. There is one very heartening news which we have seen on the television and also read in the Papers that in Baramulla, some hundred women came out in support of their integrity with India against the terrorists. This is a very good sign and this ought to be highlighted very much. The TRIBUNE editorial on 20th February has written: "If the State administration continues to soften its approach to the misguided youth as distinct from hard core militants, it will not be long before the latter get isolated." They have also written: "It was the inability of the Jagmohan Administration (and that of Mr. Saxena initially) to tell on from the other that has brought the Valley to a sorry pass. But lately, the administration in the State has given evidence of its ability to treat the two differently." If this approach is taken rightly and if from various political parties we can arrange sending people to the Valley and talk to them and if we can start what the Prime Minister has said that he will talk to the political parties, a new signal will go. I also

believe that the fundamentalists' appeal on the people of Kashmir is bound to be defeated. The evidence for this is that after the outbreak of Gulf war, on 5th February, Nawaz Sharif, to come out of the uncomfortable situation that he is put in by sending his army to Saudi Arabia, gave a call for protest in Pakistan in support of Kashmir militants. But that was not responded to by the people of Pakistan. Now the fundamentalist elements are also getting exposed. This is the time that a new kind of a signal is to go. From the kind of stand we have taken in relation to Gulf crisis despite certain aberrations, the way the people here are against the continuation of the war in Gulf, the way they are against US and allied forces, against their attempt to destroy Iraq, and the anti-imperialist position that we have taken, I think that will be in tune with the growing sentiment among the Pakistani people also. So, a new perspective can emerge whereby certain feelings of people of our country and people of Pakistan will be quite similar and the design of exploiting religion for political and other purpose will be isolated. This is another point.

The third point is that while we have to continue with the stand that we are pursuing against the hard core militants, we have to take effective steps to see that from across the border the infiltrators cannot come and create havoc.

Another thing is very necessary, Sir, I do not know whether there is any interconnecting whether there is any linkage. When I am saying that the situation is improving in the valley, at the same time we can find that in the rest of the country, in relation to communal situation that is also recording. It this declines here, I believe that has something to do there also. So, Khuranaji will do good to the country if they also re-consider what they are saying presently about the whole situation in Kashmir about Article 370 and all that, it is not at all helpful in developing a

good situation in Kashmir. And also what I have heard about B.J.P plans is very intriguing to me. In the Jaipur conclave I read in the paper, they have said that Kashmir will be the issue in the polls. Now, this is very dangerous to my mind and we should not make for narrow political considerations and try to exploit it on narrow political purposes. It is a very serious and dangerous issue in terms of our national integration and national security. So, Sir, while the total improvement in the situation in the country will help bringing normalcy in the Valley, at the same time there are certain other measures to be taken and that is, to take effective measures to help the migrants from the Valley. We had a lot of talk before that many of them could be kept in certain open areas or less populated areas in the Valley itself, they could be looked after in a better way, I don't want to hear any complaints from my friends that they are not being looked after because they belong to a certain community or the other. So, they have not come out of their own. There was a compulsion, there was a different situation, may be somebody instigated I do not know, but they are not to be blamed for that. They have to be dealt with very very kindly, with sympathy, and they have to be told that Kashmir is their home and today or tomorrow they have to go back. And in this situation, Sir, there are certain other measures that have to be taken because this is the opportunity I am getting.

In regard to the Government employees in Kashmir, they had a lot of disaffection in their mind, they fell prey to this kind of propaganda, but they have one thing that I was told some time ago in regard to the implementation of the Fourth Pay Commission recommendations. You should take up that matter with the Administration there and also certain other measures, I am not going into details, many Members have said. Just I was reading one thing and that is this:

"Based upon the two major river basins

of the 'Chenab and Jhelum, it is estimated that there is total hydro electric potential of about 10,000 MW."

Now, these are to be tapped. Only less than 1000 MW are tapped and that too does not go to the Valley due to the lack of transmission lines. These are to be looked into properly. If we are fair, if we take right measures, then no conspirators cannot succeed in our country. And I believe they have, by now, understood that Kashmir cannot go away from India, Pakistan cannot take Kashmir, they have to remain inside and they have to remain as equal partner with honour and dignity. Nobody can harm them, nobody can really take away their identity. This aspect has to be taken care of and I believe the situation that is improving to my mind, that should be given proper boost and for that the political parties are to be taken into confidence. The people from Jammu and Ladakh have also to be taken into confidence and a fair and equitable approach has to be pursued there. That will surely help for the improvement in the situation in Kashmir.

With these words, I thank you very much for giving me time.

[Translation]

KUMARI MAYAWATI (Bijnor): Mr. Deputy Speaker, Sir, it is a matter of great sorrow for whole of the country that President's rule is being extended time and again in Jammu and Kashmir, and I think that though our Constitution propagates secularism and thus ours is a secular country, however, it is matter of great regret that handful of high castes and fanatic Hindus are not in favour of giving justice to scheduled castes, scheduled tribes and also to religious minorities, particularly to Muslims in Kashmir. Muslims have their own problems and until the Government does not pay attention to their problems, Jammu and Kashmir problem cannot be solved. I am

[Kumari Mayawati]

sorry to say that some members of B.J.P have said that people are fleeing from Kashmir to other parts of the country such as Delhi and Punjab but they did not mention who these refugees are. When ever the refugees are referred to why only Kashmiri Pandits are taken into consideration, why Muslim refugees are neglected. Why are only the Kashmiri Pandits are fleeing from Kashmir to Delhi or Punjab? Just in order to hide our weaknesses we accuse Pakistan for encouraging terrorism in Kashmir and imparting training to the terrorists, who are causing harm to the entire nation. But it would not be proper if Muslim community does not get justice in this secular country, otherwise today only Muslims are looking towards Pakistan for help in future even the people of scheduled castes and scheduled tribes may seek help of other countries. Thus they will have to take the administration in their hands from the handful of high castes Hindus with the help of other countries so that justice may be given to the poor and suppressed. Through you, I would like to request to the leaders of all political parties that all of us should maintain the dignity of the constitution and encourage secularism. The Government should pay attention to the problems of all the minorities in Jammu-Kashmir whether they are Kashmiri Pandits or they are Muslims, only then the problem of Jammu and Kashmir can be solved. I am cautious about the time limit. Mr. Deputy Speaker, Sir, you are looking towards me, I request you to give two minutes to each party. If this is done every party may express its views about each problem of the country. Whenever a party emerges, it is their responsibility to involve itself to find a solution of a problem.

I am grateful to you for giving opportunity to our party.

SHRI JANAKRAJ GUPTA (Jammu) :
Mr. Deputy Speaker, Sir, the hon. Member

Shri Khurana repeatedly said that at present majority of the people in Kashmir are pro-Pakistanis and the flags of that country are hoisted there. Khuranaji is not present at the moment but I would like to know from him whether the previous Government, which ruled for about one year and was supported either by BJP or any other party, bothered to think how the problem arose and since when the situation has been deteriorated? The previous record shows that the situation deteriorated to this extent after Jan. 19, 1990 when Governor rule was enforced there. Why was it done? Janata Dal did it just as an act of retaliation. The whole conspiracy was hatched in order to weak and Shri Farooq Abdullah, the National Conference and the Congress. I would, rather, submit that if BJP or Congress were associated with them, they were also used as tools.

I am glad today to note that Chaudhary Sahib, who is a member of CPI(M) and my friend, has agreed that political process is essential there, for which all the political parties should be taken into confidence.

SHRI BHOGENDRA JHA: The Congress Party had opposed that appointment of Shri Jagmohan as Governor.

SHRI JANAK RAJ GUPTA: I am not talking about the appointment of Shri Jagmohan. My submission is that Governor rule was imposed, only then the question of the appointment of Shri Jagmohan arose, you opposed the proposal we thank you for that, but why Shri Jagmohan was sent there? So that Governor's rule could be imposed there. But the Chief Minister of the State Shri Farooq Abdullah denied to obey Shri V.P. Singh and his Ministers. He was summoned two times and invited on dinner also in order to convince him to obey the Government. When he refused to do so, only then present situation was created. Assembly was dissolved and the then elected representatives of the public were suspended by dissolving the Assembly.

Today everybody is realising the folly that was committed and due to that the situation of political confrontation has arisen. At that time people had contacts with the leaders and MLAs. The problem was created by the vindictiveness of the ruling party...*(Interruptions)* It will take sometime to improve to correct the mistake committed keeping aside the national interest. You know nothing about Kashmir, and talk only of what you have heard. What I am speaking can be examined...*(Interruptions)* Circumstances were created which encouraged militancy. Due to their wrong policies people of minority were compelled to flee. Mayawati Ji has rightly pointed out that some people of the majority community were also forced to flee. There can be no two opinions about it. Some of them migrated to Jammu, others to Delhi and some others to other places. The assistance they needed was not provided to them by the previous Government. Rajiv Ji gave them ample of blankets and machines as a relief. The present Government is constructing houses there to rehabilitate them. As soon as the situation becomes normal they must be sent back as early as possible. But it should be kept in mind that the people of Jammu should not suffer due to it. A number of migrants have come to seek jobs. From the population point of view Jammu, Kashmir and Ladakh are valleys. In Kashmir Ration for migrants is supplied to Kashmir valley as per the population. They should be kept in Jammu to avoid any quarrel with the people of that region. The present Governor is working efficiently and attending to the problems of the people. The development work is suffering there, roads are in a very bad shape. Administration has concentrated itself to the militants only. They should pay equal attention to development work also.

I have said in every session and the Government also gave assurances and during the last elections, people were told that the border is at a distance of 3-4 yards where a bridge is to be constructed. People

boycotted the polling. This is the condition. Moreover, people from Indian Telephone Industries are also present here and nobody is listening to them. There is a private Medical College in Jhelum Valley. People from Jammu region cannot join this college. Under such circumstances, they are not getting admission to the college. There is apprehension that while improving the situation, the people will become militants afresh.

17.00 hrs.

Sir, I would like to make one more submission. It is correct that the valley is under President's Rule, but it was decided during the regime of Indiraji that the most backward like Gujjars and Bakarwals who inhabit the mountains and migrate to Jammu in winter and spend their summer in Kashmir would be given the status of Scheduled Castes. Indira Gandhi had initiated this and Rajiv Gandhi furthered it, but V.P. Singh Government stopped it completely. I would like to tell you that some attention may be paid towards them so that they get their scheduled castes status during the present regime. We met the Prime Minister yesterday also and he assured us there and then that all reasonable demands will be met. So I think that this demand should be accepted. Refugees from West Pakistan have arrived there. They ought to have been given the right of citizenship before 1947, but they have not been given the citizenship right. Lakhs of refugees have also come from the occupied Kashmir, they too have not been given their due rights and concessions. At present, the situation has really improved. The situation in Kashmir valley has improved. The people of valley are realising that whatever they had done was wrong and they are now condemning it. In Baramulla, women took out a procession against terrorists and people are fed up of being terrorised. They should be granted security and somebody should listen to their grievances. Talks should be held with all the political parties there

[Sh. Janak Raj Gupta]

through their representatives and some solution should be found out. In the last session also, I had asked a question. Has the Government taken up the issue with Pakistan with regard to what is happening in the valley or in Punjab. It is all because of Pakistan. The terrorists are being trained there and they cross over to this side after being trained there. If talks have not been held with Pakistan, what are the reasons therefor and if any talks have been held, what has been the result? Secondly, whether any action plan has been prepared to normalise the situation in Jammu and Kashmir and to solve the problem. The writ that has been filed to revive the Assembly should be pursued and the case should be filed so that the elected Members are re-instated and they could have talks with the people. Political process should be initiated and it can prove helpful in restoring normalcy. The people of Kashmir had tremendous feeling and respect for Mrs Indira Gandhi and they respect Shri Rajiv Gandhi. The Government should consult Shri Rajiv Gandhi and seek his assistance in having a dialogue with the people of Kashmir Valley so that the problem is solved conveniently. I hope that in spite of such circumstances, the Government will take care of the people of Jammu and Ladakh. There is communal tension in Ladakh between one community represented by the Action Committee and the other communities the Government should look into this problem and the Government should keep in view the emotions and feelings of people of Jammu region. The people of Kashmir should be involved in the political process. Other people may also be associated. It is not solely the problem of Kashmir, it is the problem of the entire nation.

SHRIBHOGENDRA JHA (Madhubani): Mr. Deputy Speaker, Sir, the basis of Kashmir problem lies in the partition of the country on communal basis in 1947. But in the partition of the country at that time, the Maharaja of Kashmir Shri Hari Singhji had refused to accede to India. Majority of Kashmiri people decided to accede to India under the leadership of Sheikh Abdullah and this decision was implemented. Hari Singh joined after fleeing to Jammu and not before that. This is our tradition. If we look at history

when the Aryans came for the first time, they had settled in the valley under the leadership of Kashyap Rishi (Sage Kashyap). Gradually the word took the form of Kashyap Meru, then Kashmeru and finally Kashmir. Fortunately, the situation in Kashmir did not acquire the communal shape like other parts of the country. But there have been some incidents of disturbances. In that context, I would say—my friend Shri Khurana is present here, and he has also mentioned certain pitiable conditions—that the people who have fled from the valley and are living as refugees should be sent back to Kashmir and full protection should be provided to them and they should be settled there, so that the same situation is not repeated. This is a necessity from the political point of view, and it applies to Kashmir, to the country and humanity at large.

AN HONOURABLE MEMBER: Who will go there?

SHRI BHOGENDRA JHA: You know the situation prevailing there, you too have been there. So long they are living here, they should be provided all the facilities. Mr. Deputy Speaker, Sir, just now the example of Independence day was given. This was celebrated as a cultural day with the participation of Muslims. A person like me does not look at things from religious point of view, we accept things in cultural way and Muslims also participated in the celebrations as cultural functions. That tradition is surviving. It is not extinct. But the people in our country who are in favour of demolition of Babri Masjid should think that if they give up this slogan, they would be rendering a great help in the solution of the problem of Jammu and Kashmir. I don't want to go into the history and the question whether the temple was demolished or not, I don't know that. But if somebody had demolished it, he was an invader, nobody can call himself his disciple, nobody can call himself his follower and if our friends announce this today, I feel, if Shri Khurana makes an announcement today, it will be of a great help to Kashmir. The people who are saying "Quit India" will stop talking, the people there will become alert, they won't have any basis for saying anything and whatever Prof. Soz. has said that people have migrated to Jammu and an all-party delegation should visit them and take stock of the situation there. This should not be from a single party, but on an all party basis. There is no check

over it. Everybody has got a right to visit the valley.

Mr. Deputy Speaker, Sir, present problem started in 1984, when Farooq Abdullah's Government was dismissed and it was a big blow to the series of political events which was continuing since 1931 to 1947. That chain of events was hit when Government led by Sheikh Abdullah was pulled down. Our Janata Dal Government did the same thing in 1990 when they sent Jagmohan as Governor and compelled the Chief Minister of the elected Government to resign and the Legislative Assembly was dissolved. If that series of events is not be continued, I would submit that some political process should be initiated. It is not a concession for Kashmir. When President's Rule is imposed in a State, an Advisory Council is formed. I would like to know as to why an advisory council has not been constituted there. When a political party is not in power in a State, an advisory council is formed there and if any unanimous decision is taken by the advisory council, it has to be implemented by the Government.

So why should there be no such committee in the case of Jammu and Kashmir. It may prove very disastrous if you do not observe the same convention in case of Jammu and Kashmir. I, therefore want that the hon. Minister should make an announcement today itself that an advisory committee would be constituted for Jammu and Kashmir also. Instead of M.L.As and M.Ps, the committee should comprise representatives of all parties. The advisory committee will be helpful in running the administration.

Mr. Deputy Speaker, Sir, in the meantime, references have also been made to Babri-Masjid issue. The Jamat-e-Islami is a communal organization in the country, but it has no branch in Kashmir.

AN HON. MEMBER: It is different.

SHRI BHOGENDRA JHA: That is what I am also saying. The Jamat-e-Islami which is operating in Kashmir calls itself independent body. It is a very dangerous sign. We have been asking our friends belonging to the Jamat-e-Islami and we put the same question to them even now whether they think that Kashmir is separate from India? Jamat-e-Islami is in existence all over the country. Where 93 people out of a total of 100 are Muslims, there is no Jamat-e-Islami. They say that it is not part of their organization. The Jamat-e-Islami is free to propagate their views, but if they do not accept Kashmir as a part of our country, it is very dangerous. Being an Indian, I would like to make an appeal to them to consider this point because everybody is aware of involvement of Pakistan. Since a common Pakistani still continues to have the communal feeling in his mind which was prevalent at the time of partition in 1947, the Pakistani people think that they are in majority in Kashmir and as such it should go to them. *(Interruptions)* I agree that you are not one of them. I have also been there. It is not so that I have been dreaming such a thing. Gandhiji sacrificed his life for this and became a martyr. It is easy to say no.

MR. DEPUTY SPEAKER: Bhogendra Jha Saheb, you have taken much time.

SHRI BHOGENDRA JHA: Mr. Deputy Speaker, Sir, a most important thing what is going on is that Iraq is fighting even after being entrapped in a conspiracy just as Abhimanyu was entrapped in the 'Chakravayuh' while fighting in the battle of Mahabharat. Today atrocities are being committed on that country and it has brought about a change in the communal situation in India as well. People who intend to demolish the temple- mosque may not receive that much support which they received two months ago. Even people in Pakistan who intend to create disturbances in Jammu and Kashmir are also not getting that much

[Sh. Bhogendra Jha]

support. There is a change in this respect also. I would like that the Government should take some political initiative in this regard. I am not talking of those people who seriously wanted to secede from India and are running their agency by getting funds from abroad. It was their demand. They know that India stands for certain basic values and enjoys a reputation in the international forum for its upright stand. Now the time has come to test those basic values. But there is one loophole among these right things. We have just absolved ourselves from the sin of refuelling the U.S. Air Force planes. Good sense prevailed in the Government and they stopped that, but permission still exists to fly the U.S. planes over Indian territory. The U.S.A. is forcing the war on others. I would like to request the hon. Minister to announce the withdrawal of that permission also with the permission of the hon. Prime Minister. The present Government says that it was the V.P. Singh's Government which had given this permission. But what is the difficulty in withdrawing that permission? The present Government can do that. It will have to be done at all cost. The mistake which has been committed is not in the interest of the country. When one mistake has been corrected, other mistake can also be corrected. It will help in solving the Kashmir tangle, to bring the people of Kashmir in the mainstream and to win their hearts. Mr. Deputy Speaker, Sir, along with setting up an consultative committee, political and economic development of the State should also be ensured. What I feel is that as compared to other parts of the country there has not been much development work in Kashmir. Only some populist programmes have been undertaken which benefited the intermediaries. No development work and no productive work has been done. The most important work to be undertaken in the valley is the multipurpose river valley project and hydro-electricity Project which would ensure tremendous develop-

ment in the state. These projects would not require much finance also. The people had migrate to other places for want of implementation of the above projects. The people were given meagre financial assistance just to purchase a rickshaw, a tonga, a boat but no permanent means of livelihood were provided to them. That is why a dangerous situation has developed there. There is a need to affect a basic change in this policy. The projects, which are supposed to be that of permanent nature which will enhance our unity as well. It should be like a tree bearing fruit every year and not a temporary measure just to consume fruit only. It will be helpful for the unity and integrity of the country. Necessary provision in this regard should be made in the Central Budget and the Eighth Five Year Plan by making basic changes in these documents, with particular reference to Kashmir. Could the Government consider that even Panchayat elections will have to be conducted in the State under central protection.

Let us take a decision on the basis of the need of the hour. I feel that there are some plus points of democracy, upto 1952 we people had little idea that we will be able to participate in the elections. I am talking of the communist movement. We never thought that we would participate in the elections in this country. There is a system in democracy. If the Government can muster courage, panchayat elections could also be conducted in the State even during the President's Rule in that State. Let the elections be free and fair. People who will win cannot bring about any drastic change. Let there be genuine results of the Panchayat elections. In the interest of our parties, let us not indulge in both capturing or resort to any unfair means in the elections. As a result of this there may be some change in the prevailing situation also. Shri Khurana referred to some points in respect of Ladakh, Jammu and Kashmir. These are real problems. The people of Ladakh have also some griev-

ances. But when we are talking of Jammu and Kashmir, it includes Ladakh region as well. While we may see that the entire state becomes strong, we should also ensure that individual problems of different regions are solved and their individual languages and cultures are preserved. We would ensure development in the state as a whole. We should do so not by breaking or hurting their unity. Mr. Deputy Speaker, Sir, finally I would like to say that we are also constrained to do an unpleasant duty. In fact, there should have been no President's Rule or extension of the same in the State. But we are helpless. As such we cannot oppose it. Because the situation is not congenial there. But the situation should be changed quickly so that it becomes the last occasion on the part of Parliament to pass such a Resolution. After this, let us hold elections in the State. Let the process of running the State by people's representatives start. With these words I would like to express my thanks to you for providing me time to speak.

[English]

1716 hrs

DR. THAMBI DURAI (Karur) : Mr. Deputy Speaker, Sir, today we are discussing the prevailing situation in Jammu & Kashmir State. Yesterday, some Members have criticised the imposition of President's Rule using Article 356 of the Constitution and dissolving the State Assembly. Now, the same Members are criticising what has happened in Jammu & Kashmir. They said that this was because the Congress party which in 1984 took a certain stand; this problem started because of that and the terrorism also started coming up. That is their allegation. But, they are forgetting what they have done after they came to power. Those who criticised the usage of article 356, have used the same article indirectly in introducing the Governor's rule in Jammu & Kashmir. But, once we introduce such a rule and dissolve the State

Assembly, now-a-days, we tend to get away and try to seek the Parliament's approval to extend the Presidents rule. Hereafter we must not do such kind of activities; we must see that a popular Government is reinstalled and see that the aspirations of the people of the States. They want certain industries to be set up for the purpose of employment. But, we are not fulfilling their demands.

The second thing is this that when the people want to identify their culture and other things, we have to see that they are maintained to their willingness.

Sir, as British people ruled the country-by using 'the divide and rule policy ', and exploiting the situation for their rule - Certain political parties are following that now. They want to exploit the existing situation in the States and try to develop their own party for their own ends. We have to condemn such kind of activities. Only because of that, terrorism arises in certain areas; people are even encouraging regionalism too much to see that other parties' activities are curtailed. When such kind of a situation is arising in the area, the youth become unrest.

Taking advantage of the youth problem, certain fissiparous elements in foreign countries want to exploit the situation. They want to give such type of military training. And they are sending them to our soil to create chaos in our States. That is happening in Jammu and Kashmir. Why did we postpone the elections in that area? It was because many Members felt that the prevailing conditions in Jammu and Kashmir were not suitable for conducting the elections because of terrorists' activities, Why does terrorism spread in that area ? Why can't we solve the terrorism problem? It is not only prevailing in Jammu and Kashmir but also in

[Dr. Thambi Durai]

Punjab and Assam. To some extent, it has started in Tamil Nadu. Therefore, we have to see the fundamental cause for all these things.

We are facing the main problem in certain areas, especially in the sensitive and border areas. They are expecting many things from the Central Government. Sometimes we are failing to discharge our duties.

I do not want to take much time of the House because I know that the time is very limited. What I want to insist upon is that if we want to have real secularism in our country, we have to respect all the languages of this country. It is more important

Above all, we have to see that all the areas of the country must develop in such a manner so that prosperity takes place by solving the economic miseries of the people. This is more important. Thank you for giving me the opportunity to speak.

17.22 hrs

SHRI RAMESH CHENNITHALA (Kottayam) : Sir, the situation in Jammu and Kashmir State is very grave and continues to be very difficult due to trained militants and terrorists operating in the Valley. Huge quantities of arms and ammunition were seized but they are still available with the militants. The assistance from Pakistan in crossing the border is creating a lot of insecurity in the Valley and it is continuing at present also.

Actually speaking, now the people in the Valley are against the terrorists and their activities. Large sections of the people want peace, amity and harmony. But unfortunately the trained people, who are crossing the border, are creating all the trouble. Frequently, we are hearing about the rocket attacks and about the bomb explosions.

Recently, in Jammu also, it was mentioned here that two bomb blasts took place. In October, 1990, 150 militants surrendered with their weapons. Seventy-eight militants surrendered in January. So, the people, especially the youth, are now realising about the real situation. There is a thinking among the militants also. That rethinking is good for the country. We can bring peace and harmony in the Valley. The task must be for bringing them into the national mainstream. How can we bring them into the national mainstream? There are a lot of problems for the youth of Jammu and Kashmir. A special package programme must be announced and it must be implemented properly.

Of course, unemployment is the problem which is confronting the nation. But special attention must be given to the problems of Jammu and Kashmir State. The unemployed youth are suffering a lot. For the last two years, tourists are not able to go there. That industry has completely collapsed. Thousands of people are unemployed. Educated unemployment is a serious problem which is facing the youth of that State. Whatever the Government may say, the developmental activities remain standstill.

Regarding the migrants, hon. Members from different parties mentioned about the situation which the migrants are facing in the camps. I personally visited some of the camps in Jammu and Kashmir.

They are in a very bad condition. Proper care is not given to the migrants. The situation in the camp is very pitiable. Adequate medical facilities are not provided to them. Security arrangements are not given to the camps. As regards ration supply, there are a lot of complaints. I request the Government to take proper and adequate steps to give proper ration to the people who are staying in the camps. Proper education should also be given to their children. The children of the

migrants cannot go far away and study in the schools. So, proper educational facilities for the children of migrants should be given. Unemployment is again a serious problem in the camps itself. We were told earlier that certain employment generation programmes were going to be launched by the Government. But still, there is no action taken in this regard. We met the Relief Commissioner and we explained our problems to him. But the Government and the Relief Commissioner were not in a position to take adequate steps to solve these problems. My request to the State Home Minister is he should look into the affairs of the Kashmir migrants sympathetically and provide them all facilities so that when peace and harmony will return to that state, they can go back to their State without any problem. As far as rehabilitation is concerned, it is a serious problem on which the Government should pay more attention. There are many complaints from the people regarding the developmental activities. Developmental activities should be carried on effectively so that more employment opportunities can be generated. Unfortunately, there are many complaints from the people that the repair of roads and bridges are not carried out and the developmental activities are going on very slowly. An corruption is increasing like anything among the bureaucrats. Hon. Members from different parties suggested certain measures. Bureaucracy is not at all willing to take up the developmental activities. I want to give an example. I had been to Jammu. Hundreds of Food Inspectors who are qualified people were sitting on fast. We met them and we asked them about their problems. They said that there are so many vacancies in the Government departments and the Government is not taking adequate steps to fill those vacancies. When we met the Governor, he assured that in the next month itself they will fill up the vacancies. And after that, the agitation was put off. But no steps were taken by the Governor regarding filling up the vacancies. This is only one example.

There are so many examples which I will not be able to cite due to shortage of time. The attitude of the bureaucracy is the most important thing. There must be some involvement by the political parties in this regard. MPs and ex-MLAs and all other political parties must be involved in the developmental activities and other activities also. An Advisory Committee should be constituted. There were development boards. But all political parties must be associated in such activities. We are always speaking of the developmental activities in the valley of Jammu. We should see as to how it can be possible. The Governor and the administration must involve all the political parties, the MPs and the ex-MLAs so that they can work among the people and they can approach the people. There must be a link between the people and the Government. The Government can discuss with the people. The administration can have a link with the political parties.

Before concluding, I want to mention one more point. The Government can discuss with the militants also. I am not against it. But there must not be any compromise on the unity and the integrity of the country.

Secondly, it has to be made clear that all discussions would be within the framework of the Constitution. Discussions are always very good, but while dealing with the militants, Government must be very cautious and firm, otherwise the military and paramilitary forces would be demoralized, which we have seen in other parts of the country. We cannot demoralize the para-military forces at any cost. As I said, discussions are always welcome by the peace-loving people, and we all want that, but Government must show its firmness while dealing with militants and terrorists.

[Translation]

SHRI D.D. KHANORIA (Kangra) : Mr.

[Sh. D.D. Khanoria]

Deputy Speaker, Sir, it is sorry state of affairs that the people of Kashmir valley are experiencing the same sad situation which they have been facing since long. My constituency is Kangra which is located in Himachal Pradesh. It is adjacent to Jammu and Kashmir. Their way of living, language and culture are indential. A few days ago I had been to Kashmir valley. It was in the last week of last month. I had a fear in my mind that the situation prevailing in Jammu and Kashmir could spread to my constituency also. Earlier I learnt about the situation in Kashmir from newspapers only, but when I visited the valley I saw the situation with my own eyes. I saw that the people in the valley are very frightened. Development has come to a grinding halt. No roads have been constructed. The roads which are already there have been damaged. No shop, post office, bank, school or hospital were open. After talking to the people, I came to know that some people have migrated from the valley. I also visited the refugee camps in Jammu. I saw that there were more than 2 lakh refugees who were non-Muslims and living in those camps. Other hon. Members have also dealt with this point. Therefore I do not feel the need to say much about it. It is very necessary that some immediate measures should be taken to help the refugees.

One more thing that I noticed there was that electricity is being supplied for 3 to 4 hours only out of 24 hours. There is no supply of electricity for the rest of the day. People do not get drinking water. No medicine is available in the hospitals. I would like to request the Government to provide all these things to them.

The State of Jammu and Kashmir comprises three regions, viz. Kashmir, Jammu and Laddakh. But the concessions that are being granted to the people of Ka-

shmir valley under article 370 are not being extended to their counterparts in Jammu and Laddakh. When personally contacted, the people of Laddakh and Jammu said that they too wanted these concessions. Therefore, these concessions should be uniformly extended to the people of all the three regions. In case that is not possible, the people of Kashmir valley too should not be given these facilities. Local newspapers of Srinagar and the agencies of these newspapers toe Pakistani line and give preference to their views over others. Censorship should be imposed on such newspapers.

There is no T.V. facility in Srinagar and the Government must think in this direction. Our borders with Pakistan along Jammu and Kashmir should be sealed and a security belt created there in order to deploy our armed forces. This measure could help in checking the intrusion of terrorists from across the border besides checking the flow of arms into the State. Development works should be taken up in all the three regions, i.e. Jammu, Kashmir and Laddakh.....

[English]

MR. DEPUTY SPEAKER : We are discussing the Budget also. Please reserve these points for that.

[Translation]

SHRI D.D. KHANORIA : Without taking any further time, I thank you for giving me an opportunity to speak

[English]

PROF.N. TOMBI SINGH (Inner Manipur) : Sir, I support the resolution moved by the Government. Although I don't belong to Kashmir but the problems of Kashmir as also of my State - being the tourist centres - are more or less the same. So, I would like to highlight one or two important points with

regard to Kashmir problem.

There are three basic points. One is handling of the situation by the armed forces or by the police force. Second is handling by the administrative machinery and the third point is the political handling of the situation.

Sir, it has been said from many quarters that although it cannot be said that the Kashmir problem is associated with the frustration of the young people caused by the disparities shown of the State in regard to the developmental facility, employment facility and so on but we can certainly say that this does play very important role.

MR. DEPUTY SPEAKER: We will be discussing Kashmir Budget in the House, so, let us reserve these points for that discussion. Let us distinguish what is to be discussed in today's debate and what is to be discussed during the discussion on Budget.

PROF. N. TOMBI SINGH: Sir, the Prime Minister is reported as having an action plan on Kashmir. We hope that these aspects will be kept in view.

North-eastern States have also faced these problems. They had been under the grip of in surgency and militancy for the last so many decades. But we must change our strategy from time to time and from situation to situation. The political and other economic aspects cannot to discarded.

While taking part in this debate I would like to take a minute from the valuable time of the august House to bring to your notice that the young people of my State feel that they have been taken away from the mainstream. Students, representatives of political parties, members from literary and cultural organisations have come all the way from Manipur, Assam, Tripura to stage a dharna and they are sitting at the Boat Club.

Their only demand is that the Manipuri language should be included in the Schedule. I request that this should be considered. This may appear to be a very small point for the Government but it is not a small point for them. This issue has been pending for quite a long time and if it is not solved then it will lead to worsening of the situation.

Sir, my last point is that Kashmir Punjab, Assam and also Manipur, Nagaland and Mizoram are the border States and when we solve the drug, terrorists or militants problem, then we will have to review our relations with our neighbours.

We are hearing the news that militants in Assam, Manipur and Nagaland are now having fresh relations with Pakistan. They are not satisfied with Jammu and Kashmir and Punjab. They are having fresh relations through Dhaka, Bangladesh in North Eastern areas of Mizoram, Manipur, Nagaland and a part of Arunachal which are surrounded by Bangladesh. Unless we control these areas, the situation may become worse. Unfortunately in the North East, the Golden Triangle forms the gateway. Unless we have a firm control in this area, we cannot handle the situation properly.

In view of this, when we consider Kashmir, we should consider our relationship with our neighbouring countries such as Pakistan ! do not know what the relationship at present is. It appears the relation is better now and there is not much in the news also. We must see to it that our relations with other neighbouring countries where militants are very active, are improved. The Government cannot sit idle and it should not be indifferent to the situation. I would like the Government to react to these suggestions.

While concluding, I would suggest that the delegation that has come from my State should receive the attention of the Prime Minister.

SHRI INDER JIT (Darjeeling) : Mr. Deputy Speaker Sir, I am grateful to you for giving me an opportunity to make a couple of comments and ask a few questions in view of the very limited time available.

My first point is; As we know, Pakistan continues to wage a proxy war in Kashmir from across the border. Last year we took up this issue with various friends of Pakistan and some of its mentors, particularly Washington. In the last few months, the United States seems to have made three things clear. Firstly, they do not stand for a plebiscite. Secondly, they want the problem resolved in accordance with the Simla Agreement. And thirdly they oppose state-aided and state-based terrorism. In fact, subsequently we had a US mission called the Bob Gates Mission. We were then told that something like 31 terrorist camps in Pakistan had been closed as a result of the pressure put by the Americans on them. Therefore, my question to the Government is : What is the state of terrorism from across the border? Has the kind of pressure which the Americans are said to have put on Pakistan made any difference or not? If not, what do we propose to do since the Americans have made a commitment on this issue?

My second question is this. We have sought to seal our border along the Punjab. What are the efforts if any, to seal the border along Jammu and Kashmir with Pakistan? I have had an occasion to talk to some of the former Army Chiefs I am told there are some difficulties. Nevertheless, it is not beyond human ingenuity to be able to try and seal the border fairly effectively.

My next question is with regard to the demand or political process. It is unfortunate that the former Governor decided to dissolve the State Assembly. But something ought to be done about the political process. There are two things which could be done in my opinion. First we could have an Advisory

Council, an effective Advisory Council in Kashmir itself to aid and advise the Governor. This Council should almost be like a de facto Ministry. This Advisory Council could represent the kind of people and the kind of parties which existed in the State Assembly which now stands dissolved. In addition to the Advisory Council, I do think there ought to be some device at the Centre. We can have a Parliamentary Committee which could also take active interest in the developments in Kashmir and maintain a close liaison with the proposed Advisory Council so that matters could be taken up effectively at the Centre.

Mr. Deputy Speaker, I belong to the school of thought which subscribes to the view that we should be prepared to talk to the militants anywhere so long as they are willing to discuss possible solutions within the framework of the Indian Constitution.

I believe efforts ought to be made to see that we can talk to some of these militants in Kashmir or whoever is willing to talk to us on this particular subject. An overwhelming majority of the people in Kashmir are clearly interested in continuing with India. There are no two opinions about that. Therefore, I would urge the Government also to take steps to try and isolate the militants.

The question of Ladakh has also been mentioned. The people of Ladakh, who have suffered greatly because of neglect from Srinagar as well as from Delhi have been demanding some kind of a Council, I believe they were promised an autonomous Council on the basis of Darjeeling model. I strongly urge that the promise that was made by the previous Government be carried out. It is most unfortunate that the assurance given by the former Government has not yet been fulfilled. It just happens that Mr. Subodh Kant Sahay, the Minister of State in this Government was also the Minister of State for Home in the V.P. Singh Government, I therefore

think he ought to be more conscious about it, both in terms of his responsibility and his moral duty. I was surprised to learn - I did not know it earlier - that there has been no census at all in Jammu & Kashmir so far. This is most unfortunate. We should go ahead with our census operation. In Jammu area, there is no problem. In Ladakh area too there is no problem. We should certainly be able to send our team into the valley. We could also easily take census in various refugee camps, if necessary, on the same basis as it happens in the case of a General Election, where voters outside the State are given an opportunity to cast their votes.

Finally, I suggest that in addition to having some kind of Parliamentary set up which could oversee and liaise between the State Capital and the Central Government, we should also think in terms of sending a Parliamentary team to the valley. I think it is most unfortunate that till today, no effort has been made by responsible leaders at the Centre to go and visit some of these refugee camps in Jammu. Extraordinary as it may seem, even the Leaders of the National Conference who stand up for a secular State and who mouth these slogans day in any day out, have not done so. Not one of them has yet cared to go and visit these camps in Jammu.

Therefore, I think the Government should think in favour of sending a Parliamentary team seriously to see things for themselves and make necessary recommendations.

[Translation]

SHRI SUBODH KANT SAHAY : Mr. Deputy Speaker, Sir, many hon. Members have given their suggestions.

SHRI SURYA NARAYAN YADAV (Saharsa) : Mr. Deputy Speaker, Sir, I am on a point of order. No Member from the Janata

Dal has been given time to speak on this subject.

MR. DEPUTY SPEAKER : Shri Hari Kishore Singh has spoken on behalf of the Janata Dal.

SHRI SUBODH KANT SAHAY : Mr. Deputy Speaker, Sir, the suggestions that have come from the hon. Members are not only useful, but I feel that the speakers are well aware of the events taking place in Jammu and Kashmir, I would especially mention the suggestion given by Sri Saifuddin Chowdhury and I must say that if all people adopt that type of attitude, it may help in viewing the Kashmir problem in its proper perspective. This is a fact that Kashmir issue has all along been linked with independence. The people who support this view say that those who are spreading the agitation today are the same people who fought the intruders in 1947. We shall have to keep it in mind that those are the same Kashmiries who fought three wars with Pakistan on their own strength. Whatever little opportunity I got for visiting these areas and from the impression that I got during the visits, I can say that the hatred in their minds is due to the fact that they have suffered a lot when Pakistan attacked Kashmir in the grime of Kabayalis and looted their houses and property so much so that they even disgraced their women folk. Therefore, to say that Kashmiries are supporting the Pakistani ideology and to doubt their bonafides is, I think, an injustice to them. All that I could see is that we have not been able to understand the Psyche of the people who are living there since 1947. Who is to be blamed for it? Hon. Sri Khurana said that the government had adopted communal approach towards the migrant. I agree with him. The migrants belong to well-to-do families and since they have been put in tents, they are passing through mental agony which anyone can understand. I visited Jammu personally and went around their settlements. I found that

[Sh. Subodh Kant Sahay]

their spirits were high. They told are that whatever government did for them under these conditions was enough and that they wanted to return to their homes.(Inter-ruptions) I am talking about tents. I can understand the mental agony of the middle class people of they are kept in tents. The political activities in the State should be initiated. The government wants that an Advisory committee should be constituted which could discuss day-to-day issues with the governor. Last time, the State government had formulated an Action Plan at the district level so that the people could interact with the district administration. The idea behind formulating the Action Plan was to involve the Sarpanch, Talukadar and the local teachers etc. in the decision making. The proposal for the said District Action Plan is under consideration. I think, this will help in establishing a link between the people and the administration which remained snapped all these days. If some hon. Members want to be nominated to such a committee, the Central Government as well as the State administration will make all arrangements in this regard. We cannot form any opinion unless we view the conditions in the Kashmir valley from close quarters. There are forces which are trying to restore normalcy in the valley, but at the same time some other forces are also present there which do not want normalcy to return to the valley at any cost. Today when about two hundred armed people are surrendering before the armed forces, unconditionally, it cannot but be viewed as a good sign. The disgruntled elements are out to vitiate the political atmosphere by indulging in sensational acts. We shall have to prepare ourselves to face this situation so that the people do not have to suffer on this account. Some hon. Members have asked questions about our foreign policy. The approach of the foreign countries on the Kashmir issue has changed for the better and it is a positive sign. I think, this is

an achievement of the Government. Some people put question mark on the Simla Agreement and raise the question of self determination. They say that Simla Agreement would be the last agreement between the two countries and solution to the Kashmir problem. Would be found within the ambit of that agreement. So far as the question of development is concerned, the Government has given priority to it. We have provided a sum of Rs Six crores for the marketing of the products of the people engaged in the manufacture of handicrafts so that they could find markets in various States of the Country. It is the endeavour of the Government to restore normalcy in the State. Instead of getting frightened by any sensational incident, we should work unitedly towards winning the hearts of the Kashmiris.

SHRI MADAN LAL KHURANA: The Hon. Prime Minister should personally visit the settlements of the migrants. It would be better if he takes the Members of Parliament with him.

PROF. RASA SINGH RAWAT (Ajmer): The people are forcibly occupying the properties of the migrants or else are setting them on fire and selling them off. The Government should make arrangements to protect these properties, so that the same could be restored to them when they return to their homes.

[English]

SHRI INDERJIT: The terrorist activities on the border have increased.

MR. DEPUTY SPEAKER: Mr. Prime Minister

[Translation]

THE PRIME MINISTER (SHRI CHANDRA SHEKHAR): Mr. Deputy Speaker, Sir, my friend Sri Madan Lal Khurana has given

the suggestion that the Prime Minister should personally go and see the conditions. I would like to tell him that we are in touch with the Kashmir Administration and the migrants have met me. I am also planning to visit them very soon. If some arrangements are found lacking, we shall try to make necessary arrangements. With regard to the submission of another hon. Member regarding lack of security, I want to say that orders have been issued to the State Government to protect the property of each and every migrant. I do not claim that cent-percent perfection has been provided. There have been cases of burning and looting of property, but on the whole, the properties have been protected.

[English]

The other question was raised by my friend, Inderjit. We cannot make a proper assessment about the activities of the terrorists beyond the border. We have got certain information. It is true that the attitude of certain world powers has changed towards this problem; and there is a slight change in the attitude of the Government of Pakistan also. But we cannot depend on that. But this is a welcome sign. I hope and trust that Pakistani authorities will realise that tension between these two countries is not going to be of any avail to any of us. Let us try to see that we develop an atmosphere of cordiality. One thing I want to make clear whether one nation or all the nations try together, anybody trying to secede Kashmir from India will be totally disappointed. This is not a question of majority/minority; this is not a question of territory, this is a question of the secular values of this country and India is committed to this that Kashmir will remain with India at all costs. There should be no doubt on that account. And I want to assure the hon. House and the nation that any activity whether within our territory or beyond our border is not going to deter the

Government from discharging its responsibility to see that the present situation in Kashmir changes and our friends who have come out from Kashmir go back to their houses in an atmosphere of peace and tranquillity.

MR. DEPUTY SPEAKER: 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 March, 1991."

The motion was adopted

18.00 hrs

MOTION OF THANKS ON PRESIDENT'S ADDRESS

MR. DEPUTY SPEAKER: We now take up the next item on the Agenda, Motion of thanks on the President's Address. Shri Kapil Dev Shastri to move the Motion.

[Translation]

SHRI KAPIL DEV SHASTRI (Sonapat):
 I beg to move:

"That an Address be presented to the President in the following terms:-

"That the Members of Lok Sabha assembled in this Session are deeply grateful to the President for the Address which he has been played to deliver to both Houses of