

[Shri Jagannath Pattnaik]

dities especially essential commodities is a matter of grave concern. Both consumer resistance and administrative control is necessary to check this. Supply of essential commodities at fair prices is to be assured for the weaker sections. More attention should be paid to the needs of masses.

12.25 hrs.

DISCUSSION ON THE STATEMENT BY THE PRIME MINISTER RE. SITUATION IN SRI LANKA

—Contd.

[English]

MR. DEPUTY SPEAKER : The House will now take up further discussion on the statement made by the Prime Minister in the House on the 9th November, 1987 regarding the situation in Sri Lanka.

I want to inform the House that already we have taken four hours which was allocated for this discussion. The hon. Minister is going to reply to the debate at 2 ' clock because he has to go to Rajya Sabha at 3 ' clock. A debate is going to take place in the Rajya Sabha also.

Therefore, I would request the hon. Members to be very brief. Mr. Soz, you have already taken ten minutes. I think I need not remind you once again regarding this, You please conclude now.

PROF. SAIFUDDIN SOZ (Baramulla): Mr. Deputy Speaker, Sir, I will certainly be brief because I know the Minister was to reply to this debate yesterday. Now I must finish so that, we can hear the Minister.

Sir, as I said yesterday, we have given support to this Accord. I agree with Mr. Natwar Singh because during the last debate he said that if we have to end the ethnic conflict in Sri Lanka ; if we have to safeguard the security environment in our neighbourhood and if we have to end the atmosphere of violence at the door step of India, then we have to enter into this Agreement.

I also agree with the Prime Minister, who said, again during the last debate that because of the ethnic trouble there ; because of the Indian involvement there and also because some people are enemies of the concept of Non-Alignment, they were trying to fish in troubled waters in Sri Lanka. I agree. There is no doubt about it. But subsequent to the Accord, there have been some developments. I want in the national interest that the hon. Foreign Minister and the hon. Prime Minister in their scheme of priorities, now must take notice of the latest developments in Sri Lanka. Firstly, the LTTE have not come forward for any cooperation.

Yesterday, I said, there was some doubt in my mind and I wanted the hon. Minister to satisfy me, if he has time as to why we could not organise a direct agreement between the militants of Sri Lanka, if it is held through the diplomatic channel. But anyway, when we signed the Accord why was not the LTTE made a party to that ? As of now, Mr. Prabhakaran speaks for LTTE. It is the sole voice. This time, the LTTE is out to destroy peace in Sri Lanka. They are killing peaceful Tamilians. They are killing Muslims. They killed the members of the IPKF. And our Armed Forces have played a very commendable role there. But they are performing a very difficult job, Now against this background—again I say in national interest—we must be very cautious about the future course of events in Sri Lanka. It cannot be a long-drawn affair between the militants and the Government of Sri Lanka, because as of now, the Government of Sri Lanka led by Jayewardene is enjoying a kind of temporary peace, a lease of life, and it is our jawans who are fighting their battle on the soil of Sri Lanka. It is our commitment; we must honour this commitment.

I said yesterday that the agreement and its objectives are very laudable. because India made it clear to the comity of nations that we respect the sovereignty, unity and integrity of Sri Lanka. But we must take notice of the dimensions of violence there, and it cannot be a long drawn affair.

Added to this there is another dimension, and I do not think Jayewardene is

powerful enough to respond to that situation. That is the doubt in my mind. I feel that the Supreme Court, only the day before yesterday has added a new dimension to the problem in Sri Lanka. Although it gave its support to the Bill, it says that it will be ratified by a referendum. Suppose tomorrow, through a referendum, Jayewardene does not get the support, what will happen eventually is that the kind of bickering and the atmosphere of violence will continue. At that point of time, it will be a very difficult situation for our country. So, solely because of national interest, I say that Government of India will have to remain alert. These points which are in our minds will have to be answered by our able Foreign Minister. Of course, these doubts are there because we think about the problems in national interest. I do not agree with those people who say that we are engaged in a war in Sri Lanka. It is not correct. There was no alternative to this agreement or accord, but with the situation which is cropping up in Sri Lanka, I do not imagine that we would rise equal to the task. So, we cannot fight a political battle for Jayewardene, much less can this armed conflict continue for a pretty long time. Therefore, I want a sure commitment in this august House by the hon. Foreign Minister that they have understood and appreciated the dimensions of the problem in Sri Lanka; he should give us an assurance that our armed forces will complete the task there, and we shall resolve all the problems arising for us there through diplomatic channels and that our armed forces will come back with victory after doing their job with honour and dignity, Thank you.

SHRI N.V.N. SOMU (Madras North) :  
The Tamilians all over the world are shedding tears of blood because the Tamils are butchered in Sri Lanka. Whatever may be the action, whoever takes it, the only victims in Sri Lanka, are the Tamils.

I was rather shocked by the statement of the Prime Minister who said that the IPKF was only disarming the LTTE. There is a saying in Tamil; "Kaathil Poo Chutruvathu", i.e. putting the flower round the ears—if I translate it. The Prime Minister is doing that to this Parliament and to the people of India. India is waging a

war in Sri Lanka, and you want to deceive the nation by saying that you are disarming the LTTE. What kind of disarming? Do you need tanks, planes, helicopters, gunships and thousands of troops to disarm a few LTTE? While the country is reeling under drought, you are spending crores of rupees to wreck vengeance against LTTE and the Tamils. It is only a war, a war not in the interest of Indians, but to please the passion of the old man Jayewardene. I would say that I am ashamed to see that our famous Indian Army is being used as mercenaries of Jayewardene and company. Jayewardene was getting mercenaries from U.K.; Jayewardene was getting mercenaries from Israel; he was getting them from Pakistan, to kill the Tamils. He could not succeed. Now India has willingly submitted itself to send its Army as mercenaries to do the dirty job of massacring Tamils. When the Indian Army did the Bangladesh operations and took more than 90,000 prisoners, no civilian was hurt. Such a great Army is now being misused and its name is tarnished. For what purpose? Not for national interest but to satisfy the ego of one man sitting here at Delhi who wants to take revenge against Tamils. Even before the signature on the Accord dries up Jayewardene declared that he would propagate against the merger of North and East. What was India doing then. Did India raise any objection, or condemn or criticise or coerce Jayewardene not to talk like that No. It did not have the courage to talk to Jayewardene about this. This is the first breach of the Accord.

Following this, the Sinhalese were colonised in North and the Eastern Province. This is a flagrant and deliberate violation of the Accord. The Government of India was a silent spectator for even this also. For colonisation also, the Government of India did not object. Again, when the 17 Tigers who were arrested were taken to Colombo, this was objected by the arrested persons. Prabhakaran wrote in clear terms to the IPKF that they should not be taken to Colombo but the IPKF ignored the request and was a silent spectator for the death of the 17 Tamil Tigers. Then, the young man Thilleappan

[Shri N.V.N. Somu]

started fast unto death. Neither the Government of India nor the IPKF cared about this and the young man Thilleappan died.

On October 1st, when the IPKF was on their usual rounds, their vehicle was shot by some other vehicle. The IPKF chased that vehicle and caught that person with firing weapons. Do you know who they were? They were the Sinhala Home Guards. The IPKF was a silent spectator for this also. The IPKF did not take any action against the Sinhala Home Guards.

Again, on the next day the IPKF vehicle was shot at. Again, the IPKF chased the vehicle. Finally the vehicle was shot at. The IPKF was fired at at the headquarters of the military security co-ordination authority. So, the Sinhala military people then and there provoked the IPKF. All this time, the IPKF was silent. They did not retaliate against the Sinhalese Army. On the same day one person fired at the IPKF sentry man and when he was chased, he ran and he went into a fort nearby where the Sinhalese Armed Forces were camping. When the Sinhalese committed all these excesses the Peace Keeping Force was always peaceful. But the IPKF went on a massive onslaught on the LTTE.

Mr. Prabhakaran wrote to the Prime Minister of India. I am quoting Mr. Prabhakaran's letter : to our hon'ble Prime Minister, Shri Rajiv Gandhi. He said :

"Honourable Sir, —I wish to communicate with you once again because of the fast deteriorating situation in the Tamil areas with increased violence and destruction. The military offensive operation undertaken by the IPKF has escalated the conflict with a heavy toll of Tamil civilian casualties in the Jaffna peninsula. The indiscriminate mortar and artillery shelling and heavy aerial bombardment have resulted in the killing of more than 150 innocent civilians with nearly 500 injured. A large number of LTTE cadres have also been killed. The IPKF has also suffered heavy casualties.

We have in our custody 18 men of the IPKF as prisoners of war.

Heavy fighting is continuing, rendering thousands of Tamil people refugees. The suffering of our people has further increased with an acute shortage of essential food supply and continuous round the-clock curfew. It is a paradox of the great tragedy that the IPKF, which came to our homeland to ensure protection, peace and harmony, is engaged in a total war, committing inhuman atrocities against our people.

On the morning of October 13, the IPKF commandos raided the residential area of Pirambadi in the suburb of Jaffna 1 city and massacred 14 innocent Tamils, including university students, women and children. What was more disturbing was the calculated attack on public institutions which provide vital service to the people. The IPKF members raided the office of two popular Tamil daily newspapers, *Eezhamurasu* and *Murasoli* on the same morning and blasted the printing machineries with explosives. On October 12th, Jaffna General Hospital, the only functioning hospital..."

Mr. Deputy-Speaker, with much agony Mr. Prabhakaran wrote to the Prime Minister—

"in the North, was heavily shelled by the IPKF from the Jaffna Fort."

'Yesterday, the Jaffna University building was heavily damaged by aerial bombardment. The Indian Government's propaganda that it is not utilising heavy weapons and that there was no aerial attack is far from truth. Our people are shocked and disturbed to note that the Sri Lanka air-force planes and helicopters are operating only with Indian aircraft and helicopter in bombing and strafing the civilian targets.

This constitutes a serious violation of the ceasefire accord."

There is no response for this from India. The IPKF is bombarding on the orders of Jayewardene. In such a humiliated position, the IPKF was placed by the Prime Minister of India. I have to state this with utter agony and shame in this august House. Sir, I want to ask, 'what is meant by IPKF?' Is it Indian Peace Keeping Force of our Prime Minister made it as Innocent People Killing Force? I want to ask this question in this House.

Sir, I once again want to tell with humility. Yesterday, one hon. Member belonging to Ruling Party said that we are politicalising. We are not politicalising it. Even from 1956, we are fighting for the cause of Tamils. In 1956 itself, in our DMK General Council, our leader Dr. K. Karunanidhi proposed a resolution, which was seconded by my father late Mr. N.V. Natarajan, stating that the Tamils should be given absolute right and freedom there. There is no politicalising. I want you to understand this. As far as this Government is concerned, you are following a double standard. I want to make this accusation. What has happened in Bangladesh? I want to quote from the book published by the External Affairs Ministry. I quote :

"The Bengalis' demand for independence had been forced upon the people of East Pakistan by the savage and atrocious action of the West Pakistani army Government. What the Bengalis had really been wanting were regional autonomy and social and economic justice. Recent events have conclusively proved that there was no plan for secession and there was no armed preparation on the part of the Bengalis to achieve that. They were confidently expecting a good result from President Yahya Khan's democratic gesture. But the West Pakistani army, though its systematic butchery of unarmed civilians, forced the Bengalis to take the ultimate decision—to become a completely independent sovereign state. A clear cut line

has been drawn decisively, separating the Bengali speaking people of the East and the people of West Pakistan. The decision was inevitable because of the continuous exploitation of the East by the West".

Sir, I want to say that Bangladesh people did not ask for independence, but they wanted only provincial autonomy. They wanted only a decent treatment. What happened? Mrs. Indira Gandhi, our late Prime Minister, saw to it that Bangladesh was divided from East Pakistan. Now the Bangladesh Prime Minister is sitting by the side of our Prime Minister at SAARC Conference. We are looking it in the picture. We are smiling at it. We are giving credit to it. What India has got to safeguard the integrity of Eelam? Is it our job? Let the people get separate Eelam. I want to say this with strong points here. I quote the same book here. The then Defence Minister said :

"The demand for the early recognition of Bangla Desh by Government has been reiterated by various sides of the House. We are aware of the feeling in the country on the question of recognition of Bangla Desh. Our Prime Minister has explained Government's stand on the matter on more than one occasion in the House and outside. There is nothing to add to what the Prime Minister has said on the object. One thing, however is clear. The indomitable courage of the freedom fighters of Mukti Fauj will ultimately succeed in establishing Bangla Desh".

The indomitable Mukti Fauj you gave appreciation to the Bangladesh freedom fighter, whereas the Tamil Tigers are described as Terrorists. This is utter shame for this House. It further says :

"The reports trickling from across the border indicate how manfully freedom fighters are harassing the Pakistan army. One guerilla, one commando, of the

[Shri N.V.N. Somu]

Mukti Fauj is worth many marauders of the imperialist army of Pakistan. With the ever increasing activities of the freedom fighters, it is clear that the military junta will not be permitted to continue their exploitation of the people of Bangla Desh and perpetuate their colonial rule there."

The then Defence Minister said in this august House some 15 years ago that "one guerilla, one commando, of the Mukti Fauj is worth many marauders of the imperialist army of Pakistan. He also said that the freedom fighters of Bangla Desh had all our sympathy and support. You had all sympathy and support for Bangla Desh people, Mukti Fauj people. The Tamil Tigers are also doing the same thing. But you were patting the Bangla Desh Mukti Fauj and you are giving bullets to the Tamil Tigers. It is not a paradox? You praised Bangla Desh people as brave warriors but you condemn Tamil Tigers as terrorists. Here I want to quote no less a person than Shri V. R. Krishna Iyer, an eminent jurist who said and this has appeared in "The Hindu" dated 2.11.87.

"The Sri Lankan President, Mr. J.R. Jayewardene, had without firing a single shot and by using a proxy Army called the "Indian Peace Keeping Force" won the war against the Sri Lankan Tamils.

It was tragic irony that Indian troops instead of keeping the peace, had been tricked into waging a war against the Tamil militants. What was even more disastrous was the sequel that he apprehended. It was quite on the cards that Mr. Jayewardene might ask the Indian Army to quit now that he had crushed the extremists. He might then move his own Sinhala forces. Thus the total helplessness of the ethnic minority which sought Indian help would be complete, thanks to the adventurism latent in the instant Indo-Sri Lanka Pact."

Nobody can give you such a good advice.

With all humility tell the hon. Minister of External Affairs, who is sitting here, and the Prime Minister that even one day's delay will cause havoc and loss of so many lives in Sri Lanka in Jaffna. We are preaching philosophy for the last four years. Only political solution was sought by you when we demanded that Indian Army be sent to Sri Lanka to control the Sinhala chauvinism. Shri Jayewardene is spending 30% of his budget to curb Tamilians there. But even the so-called provincial autonomy is subject to referendum. He is having double standards. He is making our hon. External Affairs Minister and hon. Prime Minister as scapegoats. I was told that he said that his years of experience and Rajiv Gandhi's age are equal. Are we to believe such a man that he will implement the Indo-Sri Lanka Pact? I do not want to prolong. But much more has been said in this House. As far as the issue of Sri Lankan Tamils is concerned, I have been arrested nearly seven or eight times and in Tamil Nadu I was in jail for more than six or seven months on several occasions, including my participation in the Human chain Agitation.

We can do nothing more but to request the Government. If we are really the citizens of India and if the Government respects us as the citizens of India, they must immediately act. I am not asking for anything else. They should declare unilateral ceasefire immediately. At least at this stage the Government must come to its senses and stop butchering the Tamils, stop the war, order a ceasefire and save the dying Tamils immediately. Through you, Sir, I make this request to the Government.

SHRI RAM NARAIN SINGH (Bhiwani ; Mr. Deputy Speaker, Sir, the Indo-Sri Lanka Agreement has some inherent defects. In an agreement all the parties concerned have to sign but in this case, the Tamils, who have been living in Sri Lanka for quite a long time, were not made party to it though all the Tamil organisations there were consulted. In a democracy, it is necessary that all concerned should be taken into confidence before entering into any agreement. Moreover, the Opposition leaders should also have

been consulted. If you had done all these things, you would not have faced any difficulty. Though the intention of the Government in the beginning was good but it has now become a complicated issue. You are aware that the Tamils are being killed there for the last 3 years and the entire India, from Kashmir to Kanyakumari, has sympathy with the Tamils. We all are aware that excesses were being committed on them and that they were being killed. The problem had attracted world wide attention and it was being said that military solution was not the proper solution and some political solution of the problem should be found out. But it is a matter of regret that it is being solved militarily. We would have achieved political solution if all the parties had agreed to ceasefire according to the provisions of the agreement. Certain parties were against the agreement from the very beginning. Our Peace Keeping Force has joined an undeclared war. Earlier there have been wars in 1962, 1965 and 1971 but...  
(Interruptions)

[English]

SHRI BRAJAMOHAN MOHANTY :  
On a point of order, Sir.

MR. DEPUTY-SPEAKER : What is your point of order.

SHRI BRAJAMOHAN MOHANTY :  
The speakers are not being invited according to the list committed by my party.

MR. DEPUTY SPEAKER ; This is no point of order.

SHRI BRAJAMOHAN MOHANTY ;  
Please listen to me...(Interruptions). What is this point of order ? Under what rule are you raising it ?...

(Interruptions)

SHRI BRAJAMOHAN MOHANTY ;  
Besides, the number of Members being called from the Opposition are more. We also must be allowed to speak. My list is there but now it is being violated...  
(Interruptions). I strongly record my protest against this discrimination.

MR. DEPUTY SPEAKER : It is all right. Mr. Singh, you can continue.

[Translation]

SHRI RAM NARAIN SINGH : In the wars of 1962 and 1971 our forces met with a great success and they had the feeling that they have to win. But this time a complicated situation has arisen. Our Army thinks that these Tamils are our brothers and we should neither destroy their property nor kill them. Therefore, they attack only when it becomes absolutely necessary. The entire country has sympathy with the Tamils and the people think that it is the Indians which are being killed on either side. The result is that Shri Jayewardene and the people of Sri Lanka are feeling happy. They say that an autonomous body will be set up by merging North-East Provinces but the people who are ruling will not let the referendum succeed. The result will be that the Eastern Province will not participate and if Northern Province is given, Shri Jayewardene can say that every one is against it.

Mr. Jayewardene is not prepared to give even the least concession and this is also creating bloodshed and our officers and jawans are being killed mercilessly. Many hospitals are full of injured persons. These persons are getting injured because they are not destroying the property and houses of Tamils. They are killing only those persons who come in their way and are resorting to guerilla warfare. That is why army personnel in a large number are being killed. India is in a very embarrassing position. The Government should now find out some way to declare ceasefire and the LTTE should also be persuaded to come to an agreement so that India could come out of the present embarrassing position, otherwise our own people are being killed on both sides, and other people in Sri Lanka are taking advantage of it. They have nothing to do with it.

I would, therefore, like to appeal to the House to find way so that a ceasefire could be declared and the bloodshed is stopped.

[English]

DR. DATTA SAMANT (Bombay South Central) ; Sir, I am sorry to state that the Indo-Sri Lankan accord has turned out to be a blooded accord and at

[Dr. Datta Samant]

tardy little war, that too by the proxy of what the Government is doing. Sir, yesterday there was discussion in the Sri Lankan Parliament and all the Opposition had put up in such a way that we can remind the hon. Minister. They said that the two Bills were hatched in India and they provided insurance and guarantee to India to interfere in the internal affairs of the Island. This way the Sri Lankan Parliament is talking regarding this record. It is not that alone. But it is a malignant infection of anarchy all over the Island and Sri Lanka.

Sir, that is the reaction and that is the discussion which took place in the Sri Lankan Parliament yesterday. The way the things are happening after the Prime Minister's statement is not at all good and you have all the while blamed the LTTE. I really feel pity on the Government the way in which it is treating this problem. In 1978 all the Tamil people in Sri Lanka were not given the democratic rights. Their primary democratic rights were withdrawn. They can't contest the election. Tamils were not given job in Government Offices and the Government has literally squeezed all these Tamils in Sri Lanka. Mr. Prabhakaran and the Tamil people in Sri Lanka are fighting their own war for the last three or four years in which they have sacrificed a lot. Sir, prior to this accord, I have seen all the Ceylonese armies were crushing these Tamils and for two months they had killed a large number of Tamil people and Mr. Jayawardene became nugatory and there were no support from anywhere and therefore this accord was reached under instigation of Mr. Jayawardene and then our Prime Minister. Then, you tried to implement this accord through Mr. Prabhakaran and LTTE people without slightest consideration of their sentiments and their actions. Sir, for quite a good time the accord was there. It was discussed in Delhi and while it was done so hurriedly with the LTTE people, they were not taken into confidence. When our Prime Minister went to Sri Lanka to sign the accord the previous night the LTTE leader Mr. Prabhakaran was called and some discussion took place. But now they don't agree to the accord. It is against their views and

sentiments and they want a separate State of Eelam in Sri Lanka for which they are fighting. They have sacrificed their lives and a large number of them were killed. That is their view. But who is the Indian Prime Minister and who are you to teach them? I am asking this categorical question. If you want to solve this problem, you should have taken them into confidence. I think Mr. Prabhakaran had not attended when LTTE had surrendered their arms. One of their juniors was there to hand over pistol and therefore they are not happy. It is a simple common sense which an average man can understand. But why the Indian politicians rushed hurriedly to complete everything without taking the party into consideration. You think that we can implement the accord because we have got power, we are having military power, we are having planes and so we can crush these people and if they don't agree, we can make them agree. I strongly protest to the action and the main cause of this failure is the attitude of the Government of India and Mr. Jayawardene has literally cheated you.

Sir, you have done it so hurriedly. But what happened during that two month period? Everybody can say that it is not the trade union where you can talk with all the people for amicable settlement. I have seen that in the trade union, in a majority of trade unions, if somebody talks to please somebody or in an imbalanced way, that will never be liked. When the LTTE men lost their lives and their people are fighting throughout their life, what business you have got to talk with other people and encourage them because you feel that you can go on encourage them? So, these are the tactics adopted by the Government. I would like to say that after the accord—this is my knowledge and I want a reply from the Minister—3000 Sinhalese colonies were put up in the east of the Sri Lankan area. The same place was evicted by the Sinhalese people in 1984, all Tamils were thrown out and the area was declared a prohibited area and in this area after the accord, the Sinhalese colonies are coming up. When Prabhakaran and LTTE are apprehending some trouble—I think this is mentioned in the Prime Minister's statement—some colonies were put up and we have com-

plained to Jayewardene. I do not want to go into details now. That is a question of provincial council and further elections, and when the LTTE was seriously considering that, why the colonies were put up? And when the colonies were put up, what your Dixit, your Commissioner and your Military are doing there? Why did not they stop these colonies when your military is there in control or why they have not protested to Jayewardene regarding that?

Sir, another point is, when 17 people were arrested, what was the talk in this House? There may be migration after that. But they are running and bringing something. It is a sentiment, the man who fights knows his agonies. You cannot sit here and say that 'we are having a textile strike, we know already'. The Government will never know, they never react to the suffering of the workers. When 17 people were arrested, your military should have told you, 'Don't take them to Colombo'. That is their sentiment. You lodged a protest everywhere. These are the five colonies. We went on talking with all the units, you have allowed Sinhalese colonies after the accord, you have allowed the 17 people to go to their places. And what a commitment, Sir? The man died after taking the capsule, a man of 15 or 20 years—I have never seen it. Hands up to such a commitment, I differ with your ideology. I differ with their ideology of having a separate State, for what they are fighting. But this is the way in which they are doing. Why the Government is not doing anything? They are committed to this. Why you have not taken them into confidence? Therefore, because of such failures the LTTE people have lost the confidence in the Government. You already know, about 20,000 to 30,000 of your Indian Army and Navy and tankers and helicopters are there. What for? Whom are you going to kill? The people are silent for two months. I am sure that Parabhakaran and LTTE were never happy during those two months. They have got a lot of ammunition, they have got lot of guns because this is the way in which you handled these people without taking into confidence this Party, for which you are negotiating, you can't impose on such people your views. I think this is a total immaturity and political

wilderness and such type of handling by the Government has created this problem.

Sir, I will not take much of your time. But I would like to put across some of the points.

Then you started forcefully unarming them. Sir, when the LTTE people attack some of your people, I am not justifying that, when the Government started taking their radios in their possession on 9th October, when they destroyed their television sets, at that time, for the first time on the 9th October they attacked the Maratha Infantry and from that time this war has started. Sir, look at the way they are fighting the LTTE people. When your helicopters are dropping your people, the man sitting on the coconut tree with a telescope has killed your 10 people. Do you know that? A man sitting on the coconut tree with a telescope is killing the people who are dropping down, and that is why you have to change the helicopter. Some of the people in the Army went to see whether everything is vacated. And when your Army went back, some girl of 10-12 years immediately turned out and there was a gun in her frock, she shot your Army there. Sir, this is a commitment, I am not praising it. Even a child of one year is fighting because they are all fighting their battle. You cannot understand it by discussion here and talking. This is the commitment of these people. During these two months they have put all their ammunition and bombs underground and they are going to operate from one kilometre and with your 20 to 25 thousand Army in such a small area consisting of 1.5 million population, Jaffna, they are making your job a tough thing. But what are you doing? Whom are you killing? What for you are killing? Is anybody happy in Ceylon? I am putting a categorical question to the hon. Minister. Tamils are not happy because you are fighting against them. Your Sinhalese are not happy because they are not consulted. Their government is also not happy. When the Prime Minister went there, their Navy man threw arms at him. Who is happy with this Accord? Jayewardene is the only man who is happy because he was to lose his chair. Nobody

[Dr. Datta Samant]

is with him. He fought the battle for 3 or 4 years and when he was to be finished, he immediately fooled our Prime Minister. And you have taken the adventure that if we go there and do something, things would improve. But that is not there.

What is the next solution that you are going to try in the matter? Yesterday, my friend Guptaji has said, you go there and announce ceasefire. You must find out the sentiments of the Tamil people. The way in which they are fighting, even the average man knows that they are fighting for a separate country, Tamil Eelam. But it is not correct. I am also of the opinion. But that is their sentiment; that is their view. You have to change their view gradually.

I am not clear about the Accord. There is provincial council which is allowed. But initially you have not allowed to take the majority people. You went on humiliating them by giving 3, 4, 6 members. Ultimately, they have been given 7 people. Everywhere you have humiliated them. You have pressurised them. You never realise, they are fighting for what. In this provincial council, as per the Constitution and as was discussed yesterday in the Sri Lankan Parliament the Governor is going to be superior. People will be elected; Prime Minister will be elected by the majority. But the Governor has the power to dismiss that council. The Government has got powers not to accept the Bill passed by the council. Military and some of the other things have been kept at the Centre. This was discussed yesterday in Sri Lankan Parliament. This is a secondary status our Tamils are getting who are 30% of the total population and have majority in Jaffna and the East. That is one thing.

Second thing is, Mr. Jayewardene said yesterday in Sri Lankan Parliament, the question of combining East State with North State would be decided by voting by the East. East State will decide by voting whether to combine with the North and to have one State. I think, that was put up by Mr. Jayewardene in Sri Lankan Parliament yesterday. In the Eastern State,

Sinhalese colonisation has been done and LTTE is little afraid of getting majority there. As per the discussion in Sri Lankan Parliament yesterday, these people are going to decide whether they are to join with North or not.

I am going to ask one categorical question to the Minister. In the Accord, it is not clear as to whether the Tamils in Jaffna and in the Eastern State are going to elect their Members of Parliament. What is their right as far as the citizens of Sri Lanka are concerned? I think, it is very important because in the Accord, these points are not clear. If that right is not there whatever the rights that you are going to give under the Accord are all secondary rights. It would be a small council like municipality or corporation. If that is the fate of the Accord, I am afraid, this is not going to make much difference.

Therefore, I would suggest that please stop the war and announce ceasefire. That is important. My friend has said, Tamils are originally from India. Well, Sinhalese are also from India. Both of them are from India. But the Tamils were exploited, were crushed and were finished. Even the Constitutional rights were taken away and they are given only the secondary rights. So, this should be appreciated. You should never become adamant. The way the Prime Minister issued the statement, I request you, you should never become adamant. You have to convince them that you are doing for their benefit. They are not prepared to talk to you. You go and talk to them. They are fighting for the cause. They are not big politicians like you. They are honest people fighting in the battle. They are not political people your Party or your politicians. Therefore, like you should make all the efforts. You go and talk to them; you announce ceasefire and talk with them. You convince them. I think, that is the only way left for you in future. I differ with my friend, Guptaji's statement. You do not finish them. You cannot finish them. The way in which, for one month, you are fighting the battle, even if you send all your Army, you cannot. With such militancy, commitment and cause, even 5 years' and 10 years'

boys are fighting with the weapons and guns and girls are also fighting. And the way they are committed, the more people you kill, yesterday you killed 30 people. Why you made this sin? You should not have done it. You go on killing them more. The problem will never be solved. How many years are you going to stay there? Rs. 3 crores you are spending every day when we are having lot of problems. I am asking a categorical question to the hon. Minister. Do you like Pakistan or China army will come tomorrow and stand in Punjab to make peace? No Indian citizen likes this.

**SHRI RAJ MANGAL PANDE (Deoria)** : You make your suggestion.

**DR. DATTA SAMANT** : I am not making suggestion. Are you going to make Pakistan or Chinese army to stand in Punjab to maintain peace? None of the Indian citizens would like it. In the speeches which were delivered yesterday, even the leading party M.Ps have said that India has interfered, they have kept their military there and, therefore, all the Ceylonese people are dead against India. You are not going to develop any military stand. That is after-thought. At the time of accord. I have heard the speeches made, the Government or the P.M. has never said that, in South we want some safety measures. But now the Government has failed and not used the simple intelligence to take the people into confidence and, therefore, you are involved in more trouble and you have failed and again I say cease-fire immediately and call the people again, Mr. Prabhakaran, talk to him and try to find out and you convince him "We will give you the primary right. Tamilian can be the President or the Prime Minister of Lanka." They can contest as MPs. All these major citizens' rights will be given to them. Only by taking the people into confidence, the Government can solve the problem and I again appeal to the Government. Today only, in the House while replying the hon. Minister can announce that cease-fire order will be given and the Government is prepared to talk to the Tamil militants.

**THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI SHEILA DIKSHIT)** : I would like you to take the

sense of the House so that we can decide whether we can forego the lunch hour because I would like to clarify that the hon. Minister has to give the reply at 2 PM. Will the House decide because he has to go to Rajya Sabha at 3.00 PM when the discussion starts there. So, it is for the Members to decide whether they would like to forego the lunch hour.

**MR. DEPUTY SPEAKER** : No. There are only two speakers. My suggestion is, if the House accepts, after the completion of the two speakers, the House can adjourn for lunch.

**SHRIMATI SHEILA DIKSHIT** : If you would like to have only two speakers from the Opposition, then you would...

**MR. DEPUTY SPEAKER** : I am telling one is Mr. Brajamohan Mohanty and another is Mr. Ramoowalia. Only two names are left over now. We will complete and we will break for lunch. (*Interruptions*) Your name is not here. Only two names are here, Mr. Mohanty and Mr. Ramoowalia.

**SHRI BRAJAMOHAN MOHANTY (Pure)** : For the convenience of the hon. Minister, I withdraw my name from this because I come from a small State. I have a feeling that all the Members of Orissa have felt.

**MR. DEPUTY SPEAKER** : What Madam proposes is we are ready to allow them to speak.

**SHRI BRAJAMOHAN MOHANTY** : Forget it. You pass on. I do not know if anybody is interested in it.

**SHRIMATI SHEILA DIKSHIT** : What are we going to do?

**MR. DEPUTY SPEAKER** : After finishing two speakers, we will adjourn. At 2 O'Clock, we will reassemble. We are not foregoing lunch. If time permits, we can have. I think, if the Members permit, we will finish early.

[*Translation*]

**SHRI P. NAMGYAL (Ladakh)** : Mr. Deputy Speaker, Sir, since yesterday we have been listening to different viewpoint on the issue of Sri Lanka. Some of them

[Shri P. Namgyal]

are in favour and some are against, but, in my view, the most important is the statement made by our Prime Minister in the House day before yesterday in which he has dealt with all the pros and cons of the issue in great detail. So, I do not think that there is much scope for discussion on this issue. The agreement, which has been signed on Sri Lankan issue, is a great agreement of this century and it has become an agreement of peace. It is an historical agreement. For signing this agreement, I would like to congratulate Shri Rajiv Gandhi, our Prime Minister, and His Excellency Shri Jayewardene, the President of Sri Lanka. Shri Dinesh Goswami initiated this discussion and I think he has viewed this agreement from the narrow political angle of a regional party. He has not seen it in the context of Indo-Sri Lanka friendship and in the interest of India.

Sir, the present Sri Lankan problem is not a problem of the last three or four years. It dates back to 1948 when Sri Lanka achieved Independence. During British regime, in Sri Lanka, the Tamils were in majority in administration and in every department. This is a historical fact. At the time of Independence, Sinhalese were by and large illiterate and financially very weak. After Sri Lanka got independence, Sinhalese were given all sorts of encouragement in the field of education, industry, trade and in all other fields and they started asserting their rights also.

Sir, after the independence of Sri Lanka, when the Constitution of Sri Lanka was drafted, certain important features such as Sri Lanka would be a secular, multi-lingual multi-racial and democratic State were incorporated in it. When a new political party came to power there for the first time, it made certain changes in the constitution. Sri Lanka was declared a Buddhist State and Sinhali language was declared the official language of the country. It caused resentment among the Tamil speaking people. With the passage of time, Sinhalese got all sorts of encouragement to progress. This is one of the reasons for the present state of affairs. This caused resentment among the Tamils, because whereas Tamils had a

say in every matter earlier, their position deteriorated later. They felt that they will not be able to achieve their earlier position of eminence. So, the Tamils also started demanding their rights. The present Sri Lankan crisis is the result of all this. Clauses 1.2 and 1.3 of the agreement signed by our Prime Minister, Shri Rajiv Gandhi, and the President of Sri Lanka, envisage significant change in the situation and I want to quote clauses 1.2 and 1.3 from the Indo-Sri Lanka Agreement.

[English]

“1.2 Acknowledging that Sri Lanka is multi-ethnic and a multi-lingual, plural, society consisting, inter alia, Sinhalese, Tamils, Muslims (Moors) and Burghers. 1.3 Recognising that each ethnic group has a distinct cultural and linguistic identity which has to be carefully nurtured.”

[Translation]

In my view, this has brought about a great change in their thinking and it would help a lot in finding a solution to this problem. Therefore this should remove whatever apprehensions or doubts are there in the minds of the Tamils.

Many Members have said that India is interfering in the internal affairs of other country by sending its armed forces and that the agreement was signed in a haste. This is all wrong. I fully agree with the views expressed by my senior colleague, Shri Bhagwat Jha Azad, yesterday in the House. This agreement is important from two angles. First, the foreign powers, who were in search of a chance to get a foothold there, were denied such a chance and secondly the killings of Tamilians were to be stopped. But it is very unfortunate that LTTE, which had accepted the agreement, later on refused to abide by it. Not only that, the LTTE people have started killing the members of those groups which had accepted the agreement.

There is still time that members of LTTE should understand it very well that this problem can be resolved through a dialogue only. In this connection, I would like to appeal to the opposition

parties and especially to the Chief Minister of Tamilnadu, Shri M.G. Ramachandran, that they should mediate and take some steps and persuade the LTTE to abide by the agreement to help solve this problem.

Hon. Shri Indrajit Gupta had said that there should be unilateral ceasefire, but I am not in favour of such a step because the members of LTTE are on the run in all directions and they are trying to find an opportunity to get united and to fight once again. They should, therefore, not be given a chance to regroup themselves. In my view, they should come to the conference table. Our Tamil friends, especially the Chief Minister of Tamilnadu, should persuade them to come to the conference table and the problem should be solved through negotiations.

With these words, I support the Indo-Sri Lanka Agreement.

SHRI BALWANT SINGH RAMOO-WALIA (Sangrur): Mr. Deputy Speaker, Sir, while participating in the discussion on Sri Lanka situation, I feel that the whole country is very much concerned about it. I do not say that our Government has entangled itself there, but it is obviously in a very difficult position. Therefore, while discussing this issue, it is not proper to attack the Government continuously by saying that the Agreement has been wrong. My party feels that the issue should be settled through negotiations. Efforts were being made to solve the issue across the table and we welcomed such efforts. It was a very good step. But whatever happened after that has been most unfortunate. In regard to the action of the Indian army there, I want to say that if action is taken against the entire group of a community without making distinction then it will prove harmful. The entire Tamil speaking people of Sri Lanka are not LTTE activists.

It is being said that a large number of Indian soldiers have been killed. When an army is deployed to meet such a situation and when there is an armed struggle, it is natural that some of our soldiers will be killed and some of theirs will be killed as well. I can say it on the basis of my experience in the Blue Star Operation, I

was myself present inside the Golden Temple during these days. I stayed inside the temple for three days. Many innocent persons were killed in that operation. All of them were not terrorists. Forty people were shot dead after making them sit in a row. I have seen this with my eyes. I want to suggest that all the people in Jaffna are not LTTE activists. So, some method should be found to isolate the militant elements. I will tell you as to how to do it. When Shri M.G. Ramachandran had gone to the United States of America, his party ADMK and DMK reacted sharply to the situation in Sri Lanka. My suggestion is this. First, in order to make the Accord a success, all out efforts must be made at all levels because it is a matter of prestige for our country. Whatever has been incorporated in the Agreement or the powers mentioned in regard to Jaffna or other parts...(*Interruptions*)

SHRI TEJA SINGH DARDI (Bhatinda): This agreement should not meet the fate of the Punjab Accord...(*Interruptions*)

SHRI BALWANT SINGH RAMOO-WALIA: The India Government should continue to use its good offices for implementing the accord which has been signed with Mr. Jayewardene for protecting the interests of the Tamil group. I support the suggestion for an immediate unilateral ceasefire. This immediate ceasefire will naturally lessen the bitterness existing at present and after that, at least three weeks' time should be given. I think that immediate cease-fire will definitely help in isolating the activists of the LTTE from the peace-loving people. If Prabhakaran and others do not surrender within 21 days after this declaration, then we can tell the whole world and our country that our intention was not to crush LTTE people and that we had kept all the doors open for negotiations. If we go through our country's history since independence, we will find that we had appealed for peace in Korea, Egypt and other countries. Our Indian Peace Keeping Force will live upto its name only when we declare ceasefire. I want to inform my colleagues in the Congress party and in the Opposition that if we believe in the power of guns then we will have to repent later. This

[Shri Balwant Singh Ramoowalia]

holds true in every case whether it is the G.N.L.F. or a person in Punjab who talked of annihilating the Hindus or it is Prabhakaran. We should review the situation and not give more powers to those people who may play an underhand role in our history. The Indian Army consists of Marathas, Rajputs, Sikhs and Ahirs. I want to say that the Sikhs will again prove their patriotism. Our soldiers obey the orders given to them fully. In order to remove the apprehension among the people, you should consider these three or four suggestions made by me.

[English]

SHRI V. KISHORE CHANDRA S. DEO (Parvathipuram): Mr. Deputy Speaker, Sir, my party had opposed the very basis and premise on which this agreement was signed even when the discussion was held in this House during the last session. This accord was signed at a time when the nation was overtaken by several scandals that had unveiled themselves. To divert the attention of the people's mind, this accord was signed violating all the norms and principles that we had been following since Panditji's time.

Sir, this was an ethnic problem confined to Sri Lanka. Our Prime Minister made himself the sole representative of the entire Tamil population in Sri Lanka while signing the agreement. Were they a signatory to this accord? No. It has been said that it is only the LTTE, which was a militant group, which was opposing it. But what about others? You could have got at least the other minor Tamil groups who had agreed with you to sign this accord and at best our country would have been a guarantor or a witness to this accord. In my opinion, I do feel that you had gone well beyond our scope in signing this kind of an accord whose repercussions we are feeling and suffering today.

Then I come to the role of the Peace-Keeping Force. Let me make it very clear that we have nothing against what the Peace-Keeping Force is doing. We have a disciplined Army. We are proud of the Jawans who have fought valiantly on various occasions. They have always

upheld the integrity and sovereignty of this country. But my charge would be against those who are responsible for assigning this role to the Peace-Keeping Force. Never before has the Indian Army been used in this manner. The Indian Army may have been sent earlier to Cyprus, to Korea, may be it went to Sri Lanka, but it was sent as a part of a peace-keeping force under a common command as a part of the UN forces. But never has our country intervened directly like this in the internal affairs of another country.

Another repercussion of this is that for the first time our Indian military is under the command of the President of another country. Constitutionally, it is the President of the country and the Chief of the Army who are basically the commander of the Indian Forces. This is the first instance in which you have placed the military or our soldiers under the command of the President of another country. These are serious questions on which we should think about because they may have repercussions at a later date. I don't want to repeat all that has been said in this debate on Sri Lanka. I do not want to waste the time of this august House by repeating the points which have been made by many of my colleagues from both the sides.

I would like to know what action our Government took when Mr. Dileepan went on fast? He had made five demands. Did we do anything about them? Nothing. Whatever it is, the accord was signed. As per this accord, colonisation was to be stopped in the Eastern Districts. First of all, how did Ampere come into the accord? It was only Batticaloa and Trincomalee which were supposed to be a part of the package. What did the Indian Government do to prevent this inclusion which was done only to rig the referendum?—again a policy which we have opposed with respect to domestic affairs. We have always opposed plebiscite as an instrument to decide political solutions. I am for a political solution. Here you agreed to this. But after that the colonisation continues today. You have done nothing to prevent these Eastern Districts from being colonised by the Sinhalese. What happened about the militants? Were they

released? None. And to add insult to the injury, 17 of these militants were arrested. It was Mr. Jayewardene who wanted them to go to Colombo. My information was that Mr. Athulathmudali blackmailed Mr. Jayewardene by saying that he would resign if these people were not sent to Colombo and hence you succumbed to that pressure. This was the beginning of the trouble which started thereafter. Sir, I am not here to hold court for Mr. Prabhakaran. We have always opposed the cult of violence, but if Prabhakaran is to continue his cult of violence, or in behaving in an unsavoury manner, who has given you the right to kill him? This is not the licence for the Indian Government to go and kill him or his men. Unfortunately, we have landed ourselves in this mess. An interim Government which was promised to be formed was never formed. Emergency, which was supposed to have lifted on the contrary was extended by three months. The cases against the Tamils were not withdrawn and only the Sinhalese schools and colleges were reopened as against the Tamils schools and colleges which continued to remain closed. It was worse when our Defence Minister was present in Sri Lanka. In his presence, President Jayewardene announced an award of Rs. 1 million on Prabhakaran. Not only that, he also announced that he was banning the LTTE over there. So, is this an attitude of conciliation or vindictiveness and confrontation?

The situation in Sri Lanka continues to alarm all of us. We are not happy about the turn of events that are taking place and what are you doing to improve the situation there? Some of my colleagues from the other side of the House have expressed their views that if we had not intervened, foreign agencies and forces would have played their role in Sri Lanka. Is there anything in the accord to prevent these agencies from playing their role? Concerning the rights of Trincomalee harbour, it is only mentioned in a letter by Mr. Jayewardene. I would like to know what validity a letter from the President had in international affairs. Is it a part of the accord? It is only a letter. The letter has been attached as an annexure and the letter has no validity as far as my knowledge goes in international treaties. Who has guaranteed that either Mossad or any

other foreign agency from other countries will not operate in Sri Lanka? Who has given you the guarantee? What makes us think that they are not present there or they will not be there in future? Is your Peace Keeping Force going to stay there for all the time or are you going to withdraw sooner or later? Once the Peace Keeping Force withdraws from Sri Lanka, whose responsibility will it be to guarantee to us that these foreign powers and agencies will not operate from the Island?

Mr Deputy-Speaker, Sir, there are several questions which arise out of the discussions on Sri Lanka that we had during the last two days. It is not an ordinary matter, but a very complex and dangerous situation.

I was reading the Hindu today and the editorial says that Shri Prabhakaran had written a letter on the 6th November asking for a 48-hour ceasefire to come for negotiations. Is this true or not? Why is it that the Government have failed to inform this House regarding this?

There have been allegations made by President Jayewardene that Tamil Nadu was being used as a place to train and harbour those terrorists. Is Tamil Nadu not a part of India? Is the Tamil Nadu Government not an ally of yours? We may be aliens, but what about AIDMK? Why did it take such a long time for the Prime Minister to contradict this on the floor of the other House? Why was he keeping quiet till then? This editorial also says that the Chief Minister of Tamil Nadu has been keen and has been persuading the Central Government for an immediate ceasefire and invite these boys to negotiate and bring about a solution. It is still not late. Having put your foot into the mouth, I would say that the sooner you get out of this situation, the better it would be for our country.

I would appeal to the Government to immediately call for a ceasefire and to initiate negotiations and explore possibilities of an amicable settlement in this island which has been troubling our mind and this country for a long time.

13.42 hrs.

*The Lok Sabha adjourned for Lunch till Fifteen minutes past Fourteen of the clock.*

*The Lok Sabha re-assembled after  
Lunch at Eighteen Minutes past  
Fourteen of the Clock.*

[MR DEPUTY SPEAKER *in the Chair*]

DISCUSSION ON THE STATEMENT  
BY THE PRIME MINISTER RE.  
SITUATION IN SRI LANKA—*Contd.*

[*English*]

MR. DEPUTY SPEAKER : The hon. Minister.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI K. NATWAR SINGH) : Mr. Deputy Speaker, Sir, before I begin, I would like to sincerely thank the hon. members who have participated in this debate which lasted for nearly 6 hours. The members are S/Shri Dinesh Goswami, Dinesh Singh, Madhav Reddy, Bhagwat Jha Azad, Suresh Kurup, B.R. Bhagat, Syed Shahabuddin, Kolandaivelu, Kumarmangalam, Sharda Dighe, Indrajit Gupta, Jeevarathinam, Saiffudin Soz, N.V.N. Somu, Satyendra Narayan Sinha, Datta Samant, Ramoo-walia, et el. While I believe that a speech to be immortal does not have to be eternal, I am confident that I shall receive the indulgence of the House if this afternoon I speak at length.

We had a stimulating debate. This debate on the important and complex subject provided us an opportunity to take a multi-dimensional look at the recent tragic development in Sri Lanka. The Agreement so warmly and openly welcomed by all sections of the House in early August has come under criticism from several quarters yesterday and today. Before attempting to answer the points raised by hon. members, I would, Sir, with your permission, like to make a few preliminary observations about our foreign policy in general and Sri Lanka in particular. At the same time, I must state that while Government shall give the fullest possible information to this House, we function under certain wellknown constraints and established norms of diplomatic confidentiality. The norms have to be respected in public interest.

(*Interruptions*)

We are dealing with other Governments. We have discussions with them which are confidential. You cannot disclose them. It is a breach of trust. There are certain rules of the game which sovereign governments have to accept.

PROF. MADHU DANDAVATE (Rajapura) : That's right.

SHRI NATWAR SINGH : Now, let us be clear about what is at stake in Sri Lanka. It is very easy to pass ill-informed critical judgement on what we are doing in Sri Lanka. But let me say without reservation that President Jayawardene and Prime Minister Rajiv Gandhi have displayed great vision and courage in coming up with an agreement that has rightly been hailed as an act of great statesmanship all the world over. Let us give credit where it is due.

I would like to quote here from the paragraph contained in the communique issued by the Commonwealth Summit in Vancouver last month :

“Heads of Governments welcomed the Indo-Sri Lanka Agreement recently signed by the President of Sri Lanka and the Prime Minister of India as an act of highest statesmanship. They were happy to note that the agreement meets the legitimate aspirations of all the people in Sri Lanka within a democratic system of governance. It brings to an end the ethnic violence in Sri Lanka, restores peace and normalcy and ensures the unity, integrity and security of the country. They acclaimed the agreement as one arrived at bilaterally between two member-States of Commonwealth in a spirit of understanding and accommodation which will ensure regional peace and stability. Heads of Governments wished the two leaders every success in the full implementation of the agreement. They affirmed their fullest support for the territorial integrity, independence and sovereignty of Sri Lanka.”

This paragraph is approved unanimously at the Commonwealth summit. Now I would like to point out here that the official text reads "Indo-Sri Lanka Agreement" and not 'accord'. Although these two terms can be interchangeable, Government uses the term 'agreement'.

The Agreement has been welcomed by a large number of the members of the United Nations in their reference to South Asia in the General Assembly debate. All of our friends have communicated their happiness over the Agreement to our Prime Minister. It has been welcomed by the United States and President Reagan referred to it in his remarks when he received the Prime Minister.

Now, to say that the signing of this Agreement is a failure of Indian foreign policy or that it is the biggest misadventure, as my distinguished friend Shri Dinesh Goswami has said, in the diplomatic history and that it does not safeguard the Tamil interests is not correct. I would like to say that very competent, experienced, highly professional members of the Indian Foreign Service, Indian Administrative Service and other services worked very hard on the Sri Lankan question. All these people, my erstwhile colleagues, have got where they have, after qualifying in one of the most difficult competitive examinations that the world has to offer. So, please let us not belittle their achievement. Let us not belittle their effort. I have taken the examination myself and I know how difficult it is. Let us not belittle what they are trying to do. As a matter of fact, the signing of this Agreement has been acknowledged the world over as an act of great statesmanship and of great professional skill on both sides. One has only to look at the map of South Asia to realise that geography has placed awesome burdens and responsibilities on us. We shall shy away from these responsibilities at our peril.

**SHRI DINESH GOSWAMI (Guwahati):** when I call it as misadventure, I think as political parties, we have the right to discuss or express our own opinion on a

particular subject. The bureaucrats do not come into the picture.

(Interruptions)

**MR. DEPUTY SPEAKER :** He is only mentioning about their involvement and the tremendous work that they had done.

(Interruptions)

**SHRI K. NATWAR SINGH :** Now, Sir, what is at stake in Sri Lanka? Here, I would request the hon. Members to read the Agreement very carefully, and also read the Prime Minister's statement in this House very carefully. It reads :

(1) The unity, territorial integrity and independence of Sri Lanka ;

(2) The rights of the Tamils to live and prosper as free and equal citizens ; and

(3) The security environment in the region.

These are the three basic issues.

Now, if you look at the situation in a balanced dispassionate manner, you will agree that the Agreement has assured all these three basic issues. Is it not? I shall read from the Agreement in a moment. Not one hon. Member has come up with a viable alternative, If you have one, we will be very willing to discuss it. It is easy to be critical, but infinitely difficult to be creative. Now what does the Agreement say ?

It says :

"Attaching utmost importance to nurturing, intensifying and strengthening the traditional friendship of India and Sri Lanka, and acknowledging the imperative need of resolving the ethnic problem of Sri Lanka, and the consequent violence, and for the safety, well-being and prosperity of people belonging to all communities in Sri Lanka.

Have this day entered into the following Agreement to fulfil this objective."

[Shri K. Natwar Singh]

What are the objectives? These are :

*“desiring to preserve the unity, sovereignty and territorial integrity of Sri Lanka ;*

*acknowledging that Sri Lanka is a multi-ethnic and a multi-lingual plural society consisting, inter alia, of Sinhalese; Tamils, Muslims (Moors), and Burghers;*

*recognising that each ethnic group has a distinct cultural and linguistic identity which has to be carefully nurtured ;*

*also recognising that the Northern and the Eastern Provinces have been areas of historical habitation of Sri Lankan Tamil speaking peoples, who have at all times hitherto lived together in this territory with other ethnic groups;*

*conscious of the necessity of strengthening the forces contributing to the unity, sovereignty and territorial integrity of Sri Lanka, and preserving its character as a multi-lingual and multi-religious plural society, in which all citizens can live in equality, safety and harmony, and prosper and fulfil their aspirations.”*

That is what the Agreement says.

Now, if in the absence of this Agreement, these conditions could have been fulfilled or if we jettisoned this Agreement, can we have an assurance that these conditions will be fulfilled?

Another point has been asked as to what the IPKF doing there.

Under Article 2.16 (c), it is mentioned that :

*“in the event that the Government of Sri Lanka requests the Government of India to afford military assistance to implement these proposals, the Government of India will cooperate by giving to the Government of Sri Lanka such military assistance as and when requested.”*

PROF. MADHU DANDAVATE : What does (a) and (b) say?

SHRI K. NATWAR SINGH : I will read out (a) and (b), if you want me to.

These are the terms of the agreement. The agreement was signed by Government of India with the Government of Sri Lanka. I will come to Mr. Indrajit Gupta's intervention later. If I may presume to say so, Mr. Indrajit Gupta's intervention had raised the already high level of the debate to an even higher level. He has indicated in his intervention, what was the situation for the last 3½ or 4 years ; what was the situation in Sri Lanka when we debated this a number of times. Hon. Members in this House and the other House repeatedly asked : 'What was Government of India doing about it?' Appeals were made in stringent and strident terms to say that we should walk in, take a military step. We had said : No ; this is not possible. We would like a political solution to the problem.'

This agreement was not arrived at in haste. A number of weeks of very hard work at different levels in Government, in different branches, was carried on. All these doubts which assail the hon. Members also assailed us, and provisions were made for every eventuality. But since agreements are made by human beings, they can be as perfect or as imperfect as human beings are. If, as I said earlier, there is any way in which we can improve upon it, I am sure Government of India and the Government of Sri Lanka would like to look at it.

I want to relate just an incident, because people have said ; "All right ; you have gone in, i.e. the IPKF, to which great tributes have been rightly paid. What is the next step?" I was in Hanoi about three years ago. I requested the Government at Hanoi to permit me to call on Gen. Giap, the great hero of Dien Bien Phu in 1954. I asked him : 'General, can you tell me, since you are one of the great military strategists and political thinkers that Vietnam has produced for many centuries, to what do you owe your success at Dien Bien Phu?' He said : 'Military action has to be followed simultaneously or very soon, by political action, and

political action by the required administrative arrangements. And fourthly, these three have to be crowned by an economic policy and programme for rehabilitation and reconstruction. These are the four wheels of the car. If one is missing, then the car does not move.' So, this is what we have in mind in Sri Lanka. We want that the military activity which has been thrust upon us is terminated as soon as possible, so that reconstruction and the political processes which will bring permanent peace and amity to Sri Lanka can be started, the necessary administrative arrangements can be made, and an economic blueprint can be produced. For this, it is absolutely essential that hostilities of the kind that have been thrust upon it cease. We have never called LTTE our enemies. Throughout these months and weeks that we were discussing this issue, all the Tamil militant groups, including LTTE were in contact with us at various levels in Colombo, in Madras and in New Delhi—because, what were the objectives of this exercise? It was that the ethnic conflict should end. We have been able to get from President Jayewardene his concurrence to an agreement which really is quite exceptional in diplomatic history. There are arrangements where military pacts are involved in the NATO or the Warsaw Pact, where troops of foreign countries are on the soil of a particular country with the concurrence, with the treaty agreements. But as far as I can recollect there is no example in recent history where an agreement of this kind between two sovereign non-aligned States has been signed, because both the States realised what was at stake.

It is being said that it is an internal matter of Sri Lanka. Yes, in the strict terms, it is. But in 1983 when the conflict started in this virulent form—it was going on for forty years—the Sri Lanka Government asked for our good offices and that is why we have been there. And the three items I have mentioned: We could not be indifferent to Tamil interests in Sri Lanka. We could not be indifferent to the security environment. And we had to ensure the unity, territorial integrity and sovereignty of Sri Lanka. I do not want to elaborate on this.

Shri Bhawgat Jha Azad, again in a very substantial and major intervention gave some indication of the conceptual thinking that has gone beyond the statement has said, that we cannot be indifferent to this. A country like India cannot be. I do not want to spell out this, because as I said earlier, there are certain constraints of confidentiality. But it is quite obvious that it would not be in our vital natural interest if Sri Lanka and the area around it was to become a cockpit of super powers rivalry or even rivalry among other countries or other countries which are not very friendly to India were to have a stranglehold in Sri Lanka.

The letters attached to the Agreement have the same sanctity as the Agreement has. I am sure hostile elements will have to leave Sri Lanka. Now, this is no ordinary achievement. Now, certain problems have come in the way of implementation of the Agreement. The time-table has not been kept. But there are imponderables in any situation. There are unexpected elements in any undertaking and here is an exercise which is extremely complex, extremely complicated. Therefore, these hurdles have come up.

Now, we have had discussions with President Jayewardene, with his colleagues in the Government, with the Chief Minister of Tamil Nadu and here I would like to quote from a speech delivered by the Prime Minister at Marina in Madras on the 2nd of August. The Prime Minister said:

“Lastly, I would like to thank the one person without whose help this Agreement would not have been possible, without his sagacity, without his profound humanism, without his rock-like support, especially during the most difficult and complicated negotiations about the deep understanding that he has shown, without his statesmanship, in rising above all narrowness and selfishness in statesmanship, and looking towards the greater interests of the country we could not have achieved this Agreement. It is his patriotism

[Shri K. Natwar Singh]

and his support which has made this possible. And needless to say, I am talking about your Chief Minister, Shri Ramachandranji."

At every step, we have kept Shri Ramachandran informed for the simple reason that very great burdens and...  
(Interruptions)

SHRI BASUDEB ACHARIA (Bankura): He would have spoken on August 2nd.

SHRI SOMNATH CHATTERJEE (Bolpur): That is all old.

SHRI SYED SHAHABUDDIN (Kishanganj): These are all old certificates dating prior to October 10. Please read out the certificates of post-October 10th.

SHRI K. NATWAR SINGH: I can assure you, the Prime Minister met Mr. Ramachandran in Washington less than two weeks ago. I had an hour's talk with him. I met Mr. M.G. Ramachandran four days ago. He did the honour of receiving me.

SHRI N.V.N. SOMU (Madras North): The same Chief Minister requested our Prime Minister for ceasefire. What does he say for it?

SHRI K. NATWAR SINGH: Mr. Somu, I will come to your party's brilliant record in this matter.

SHRI BHAGWAT JHA AZAD (Bhagalpur): We must come to it.  
(Interruptions)

SHRI K. NATWAR SINGH: I have earlier spoken about our foreign policy concerns and our bilateral concerns. This agreement has provided an opportunity to ensure that our environment and our area remains free from outside interference.

I shall now deal with the various matters which the hon. Members have very rightly raised... (Interruptions)

[Translation]

When you do not appreciate even a good thing, one can not help it.

(Interruptions)

SHRI SOMNATH CHATTERJEE (Bolpur): We could not understand it.

SHRI K. NATWAR SINGH: If you say that you are speaking for the whole country, then you deserve congratulations.

[English]

Now, Mr. Dinesh Goswami said in his intervention that other Tamil groups had not been consulted. For this, I may respectfully say that it is factually incorrect because we have kept all the groups informed.

SHRI DINESH GOSWAMI (Guwahati): What I said was, from the subsequent reports it appears that it is TULF and others have reservations about the devolution plan and this agreement does not satisfy any of the Tamil groups. I never said 'all Tamil groups'.

SHRI K. NATWAR SINGH: If you look at the agreement, there are residual matters. The residual matters will be discussed between the two Governments and we are doing that. I shall come to the residual matters which you have referred to and other Members have referred to. I really wanted to say that every effort has been made. Why would the Government of India like to keep any group out of the consultations. That would not make any sense. We would like to consult everybody, we would like to carry everybody both in India and abroad and in Sri Lanka with the agreement because of the objective the agreement has laid down.

(Interruptions)

SHRI SYED SHAHABUDDIN: If the Tamil groups were consulted in the process of the agreement, then why...

(Interruptions)

SHRI K. NATWAR SINGH: Mr. Dinesh Goswami also said that we should come out of Sri Lanka immediately.

(Interruptions)

SHRI DINESH GOSWAMI: My speech is again mis-interpreted. I have not said the word 'immediately'. I have said the word 'at the earliest'. I never interrupt the hon. Minister, but when my speech is misinterpreted, I have to make the point clear.

**SHRI K. NATWAR SINGH :** No Sir. We can look at the record tomorrow. You may not have used the particular word, but you wanted to say this. What I want to say is that if we were to pull out of Sri Lanka at the moment, what would be the consequences? As Mr. Indrajit Gupta said, we should stay there. Now Members want to know why a particular situation have arisen at the moment. We are trying to find out because from the 29th of July, whole of August and whole of September, there were no problems. Then, the problem started increasing and we had to deal with them as they came. Why had the IPKF gone there as a peace keeping force? Because the Tamil militants said that they would not lay down their arms to the Sri Lankan Army and that they would lay down arms to the Indian Peace Keeping Force. That was agreed to by the Sri Lankan Government. Shri Azad in his intervention has said that there was a public ceremony in the early part of August. Well, the arms were laid down. And Mr. Yogi, who is not an unimportant figure in the hierarchy of LTTE, was present at the function. So the expectation was that the arms would be laid down and an interim instrumentality would be set up there in which the LTTE would have a major share. The Prime Minister in his statement has given all these details as to what transpired at what stage upto the other day. Since a particular group went back on this, whole timetable was disturbed. And the principal concern was that we had to take action in Jaffna area to bring normalcy which was becoming impossible with the activities of a particular group. Now, people are asking as to why we do not sit with the LTTE. For two-and-a-half-months regularly we had been in touch with them. The High Commissioner went and met them a number of times. Our officials went to discuss various aspects of the agreement which we thought were not being satisfactorily dealt with. What were devolution matters which were not being dealt with, colonisation, return of refugees, all these matters had been taken up in great details at the official level both in Colomb and in New Delhi. And all concerned groups were kept fully informed. As mentioned by Prime Minister in his statement, when he had discussions with Mr. Prabhakaran on 28th

of July, every single doubt that reconciled him, had been cleared. And also present at that meeting was a representative of the Tamil Nadu Government. I just want to say that we had to sign this agreement with the Sri Lankan Government. Previous agreements on the ethnic issue had been signed by the Sri Lankan Government with the other ethnic groups and all failed. This is a vital difference. I can say it in this House when a senior member of the LTTE was shown the terms of the agreement in Madras on 27th and 28th of July, he said—I do not want to mention his name—that that was all they asked for. We had told that LTTE was out of question. We asked them whether they wanted that East and the North should become one province. He agreed.

Members have referred to the referendum. There are two referendums which I would like to point out in the two contexts. One is, it is mentioned in article 2.3 that this is required to be held on or before 31 December 1988 to determine whether the eastern and northern provinces to continue as one administrative unit or become two separate provinces. Basically it is upto the Tamils to ensure that they have adequate support from the Muslims in the eastern province to win the referendum if and when it is held. The second context in which the referendum is mentioned is in the 13th amendment to the Constitution of Sri Lanka. It is provided in articles 154(g)(2)(b) and 154(g)(3)(b) which concern amendments to the devolution package, that if one or more provincial councils object to any amendment, it has to be passed by two-third of the total membership of Parliament and then approved by a national referendum. Now, we know that the Supreme Court has given a ruling. The Cabinet of Sri Lanka as far as we know, has passed this Bill that it is not necessary for them to go for a referendum and that these changes can be done by them with the two-third majority in their Parliament. Now, the Parliament is in session and the latest we have heard is that the amendments are likely to be placed before the House of Sri Lanka for voting in two or three days when it will become a part of

[Shri K. Natwar Singh]

the law. Now, what happens between now and 1988 will depend on a number of factors. If, for example, the Provincial Councils are set up, a Chief Minister is appointed, a common Planning Commission is appointed, a common High Court is appointed, then you know it better than I do that political institutions get entrenched. I know two or three friends of mine in the Sri Lankan Government say that they would like to shift from the Central Government in Colombo to the Provincial Council because this is where the action is going to be. When the Prime Minister said in his statement that the legislation presented is unprecedented in the light of Sri Lanka's Unitary constitution, it is a fact because for the first time, they will have in nine provinces Chief Ministers and responsibility of these instrumentalities to ensure that in the North and the East they get the necessary majority in the referendum. And this is where we appeal to our friends in the LTTE that they should say so, that they support the agreement, lay down their arms, and get on with the political process. It is no use talking about that you have a ceasefire today or in forty-eight hours. For two and a half months we have been negotiating with them. What is 48 hours going to produce? You will realise that we have the Indian Peace Keeping Force in Sri Lanka which has gone there to do a particular job. How do you think that their morale is going to be affected if a unilateral ceasefire, not against a particular group, is announced by the great Indian Army? All this has to be taken into consideration.

Now, I am coming to the point that why there is no ceasefire. It is a valid point that why we are not having the ceasefire. But we would like to have some kind of an assurance. They can give that assurance to us, they can give it to the Chief Minister of Tamil Nadu that they will fulfil the clauses of the Agreement. They had said so in the course of the negotiations held in July, and on the 29th of September these things have been discussed with them. So, somewhere we are trying to find out some way.

Mr. Indrajit Gupta asked us what has gone wrong, why has the LTTE thrown all this away. Quite honestly, I myself find

it incomprehensible. At every level, at every stage, we have requested them that what is it that they want; what more would they like us to do. But the answer is not forthcoming.

The Prime Minister in his statement and in his reply to the Rajya Sabha said quite clearly with regard to the ceasefire... (*Interruptions*).

SHRI P. KOLANDAIVELU (Gobichettipalayam) : Sorry for intervention. On 6th of this month, Mr. Prabhakaran, it is learnt, has written a letter to our Chief Minister. Sir, the Minister had been to Madras. I think he might have talked with regard to that letter also. May I know whether Mr. Prabhakaran has actually written a letter asking for a ceasefire or not?

SHRI K. NATWAR SINGH : Now, Sir, as I have said earlier, there are constraints of confidentiality... (*Interruptions*).

SHRI A.C. SHANMUGAM (Vellore) : How do you say it is confidential?

SHRI K. NATWAR SINGH : Please bear with me. I sat for six hours listening to you. The communications have been received by the Chief Minister but they do not meet the requirements of the situation on the lines that the Prime Minister has indicated. I would like to quote the Prime Minister. In his reply to Rajya Sabha he said : "Some Members have asked for a ceasefire. I have said very clearly that we are willing to have a ceasefire"... (*Interruptions*).

SHRI BASUDEB ACHARIA : Sir, he cannot refer to what the Prime Minister has said in the other House.

SHRI S. JAIPAL REDDY (Mahbubnagar) : I do not know, Sir, whether he can refer to the proceedings in the other House.

SHRI BASUDEB ACHARIA : He can, not... (*Interruptions*).

MR. DEPUTY SPEAKER : Mr. Minister, you need not necessarily read the proceedings of the Rajya Sabha. If you want you can mention the gist of that. There is nothing wrong in that.

**SHRI SOMNATH CHATTERJEE :** You can say that at some other place the Prime Minister had said this.

**SARI K. NATWAR SINGH :** As a Cambridge man he has referred to the other place, so, I shall take on from there...*(Interruptions)*. Now, we have enough respect for the glories of the English language, to put it differently. I will put it differently. In the other place, it was said by the Prime Minister that...*(Interruptions)*. If there is an indication from the LTTE that they will go by the agreement, give up their arms, get on to the political process, there is no problem. All that they do is to contact somebody in the IPKF, send message there. But this has not happened. We are trying and we are hoping that we have to be quite clear in our mind that the task that the IPKF has been given as a peace keeping force has to be completed in the larger interests.

**DR. DATTA SAMANT (Bombay South Central) :** The party's representatives have said that they have sent an official letter to the Times of India. They have written that they are prepared to follow all these things and it should be reviewed in their interest. I will read out that. *(Interruptions)*

**MR. DEPUTY-SPEAKER :** No, no, not necessary.

**DR. DATTA SAMANT :** I think they are appealing to you. Sir, why do you want to finish them? It has come in the press, in the Times of India newspaper that they are appealing to the Prime Minister requesting him to preserve the human rights and they are prepared to accept the peace accord *(Interruptions)*. It has appeared in today's Times of India newspaper on the front page that Mr. Kittu who is their representative has written a letter. *(Interruptions)*. Mr. Minister, what letter have you received? Can you read it out in the House?

**SHRI K. NATWAR SINGH :** I have not received any letter.

**DR. DATTA SAMANT :** Sir, copies have been given to the Opposition leaders. *(Interruptions)*.

**SHRI K. NATWAR SINGH :** I have not received any letter from Mr. Kittu.

**DR. DATTA SAMANT :** A copy of the letter was given to all the leaders of the Opposition including Mr. Hegde, Mr. N.T. Rama Rao and the Prime Minister. *(Interruptions)*. Sir, I will read out the portion appeared in the newspaper.

**SHRI SAIFUDDIN CHOWDHARY (Katwa) :** You can read out that extract.

**DR. DATTA SAMANT :** I will read out the extract that has appeared in the newspaper :

“We therefore appeal to your Excellency, to your sense of justice, to your concern for the preservation of human rights and your unfailing faith in the peaceful solutions of all problems to order an immediate ceasefire, and employ more peaceful and suitable political measures to enforce the acceptance of the peace accord by the LTTE.”

**AN HON. MEMBER :** Who has written the letter?

**DR. DATTA SAMANT :** Mr. Kittu who is the member of the Coordination Committee of the LTTE has written this letter. This letter was addressed to the Prime Minister and copies were sent to the Opposition leaders.

**PROF. MADHU DANDAVATE (Rajapur) :** I have not received it.

**DR. DATTA SAMANT :** If you want I can send you a copy of the letter.

*(Interruptions)*

**SHRI K. NATWAR SINGH ;** Sir, may I also mention that the three major issues that have been raised in this debate are with regard to the devolution and with regard to the referendum which I have already referred. Now, with regard to the devolution package land, it was asked what were the subjects which were to be discussed with the President of Sri Lanka when he was here, when I went to Colombo and at Kathmandu?

Here I would also like to take the House into confidence by saying that when we read the remarks of the distinguished President of Sri Lanka about the State of

[Shri K. Natwar Singh]

the Indian Union, I myself and the Prime Minister brought this to his attention and said that his statement has caused great unhappiness, and that is why before leaving, at the airport he made a different statement in which he acknowledged publicly all that the Government of Tamil Nadu and the Chief Minister of Tamil Nadu were doing with regard to the implementation of the agreement.

Although the devolution package does not meet Tamil expectations in full, it should be remembered that in the light of the unitary Constitution of a small country like Sri Lanka, it is an unprecedented piece of legislation as the Prime Minister said in his Statement, While the Government is aware of the shortcomings and the need to improve it, we should not lose sight of the fact that it does concede some very major demands of the Tamils. For the first time, Provincial Councils will be formed with their own elected Legislatures, their own Council of Ministers and their own Chief Ministers. The Provinces will have Governors on the Indian model. This was a major TULF demand that will be conceded. But it was not so, the TULF informed. I had a meeting yesterday with Mr. Amritalingam and his colleague and went over these matters. The Constitutional provisions regarding the functions and powers of the Governor are about exactly the same as in the Indian Constitution, although the Tamils feel that in the light of the past history of conflict and bitterness additional safeguards are necessary and we agree with them, and we have conveyed this to Sri Lanka Government at highest level.

The Constitution Amendment provides for a list of subjects—the Central List, the Provincial Council List and the Concurrent List on the pattern of the Indian Constitution. The Provincial Council List contains 37 entries. Considerable powers are being devolved on the Provinces including law and order, land, education up to secondary level, health, local administration etc. The Tamils, however, would like additional subjects to be included, and we have conveyed these additional subjects and we have been given assurance that steps will be taken to correct this. There

are provisions for setting up an independent Finance Commission to ensure that adequate finances are provided to the Provinces to meet the expenses concerning the subjects devolved on them. Each Province will have its own High Court, each Province will have its own police force for law and order purposes. Regarding language, Tamil has been made an official language at par with Sinhala. This was one of the major demands of the Tamil groups. Members will agree, therefore, that it is incorrect to say that the new legislation now before the Sri Lanka Parliament gives nothing to the Tamils. But it is also correct to say that given the history of the conflict, as I mentioned earlier, they feel that a certain specific improvement is essential and we are trying to get them and we have conveyed it.

SHRI SOMNATH CHATTERJEE :  
What was the improvement suggested ?

SHRI K. NATWAR SINGH : We have given the list to the people concerned in Sri Lanka.

Now, on the question of land, land has been a major point of contention between the Sri Lanka Government and the Tamil population primarily because the Tamils fear the colonisation of Tamil areas by Sinhalas. The problem especially concerns the so-called Crown land or State land. Unlike in India, very large tracts of land always belong to the Central Government who have the power to alienate or give away these lands to individuals or organisations. Under the new legislation it is provided that the alienation or disposition of State lands within any Province to any citizen or to any organisation shall be by the President on the advice of the relevant Provincial Council in accordance with the laws governing the matter and the Inter-Provincial irrigation schemes such as the Mahabali project, the principles according to which land should be distributed will be determined at the national level, but the actual selection of allottees will be left to the Provincial Councils themselves.

Matters relating to land such as rights over land, land tenure, transfers, land improvement etc., will be a devolved subject. But this is a complicated matter

and there are several provisions with regard to which Tamils have considerable apprehensions. These will certainly be taken up by the Sri Lanka Government. These are the three or four major doubts with the devolution package. When I went to Colombo, I mentioned this to the President that there were concerns and apprehensions with regard to (a) return of refugees, to which his answer was, unless normally returns to the North and the East, it will be difficult to say. There were a number of people from Sri Lanka who had to be sent back to India. We are not linking these two. But he mentioned this.

With regard to colonisation, we said, we have heard reports that attempts were being made to send Sinhalese to Eastern province to change the demographic balance. He has assured that this was not being done. We have our own means of finding out and once the Provincial Councils take office in the North and East, it will be their responsibility. After all, there will be a Tamil Government in the North and the East under one province. There will be a Tamil Chief Minister; there will be Tamil Ministers and they will have the whole infrastructure supporting the Government policies. So, it will be ensured by that instrumentality, when it assumes power. We hope it will assume office as early as possible. So, the fears of colonisation also have been allayed. But we are keeping a very close watch.

Finally, there was the question of referendum and the land devolution package to which I have referred. These have been brought to the notice of the Sri Lanka Government. Now, where do we go from here?

**SHRI SOMNATH CHATTERJEE :** May I seek a clarification? From what appears from a write-up in *the Statesmen* today, I would like to know the Government's understanding of the situation. That without a referendum, if this law is enacted, it becomes part of the legal set up there. That any subsequent Parliament or the Parliament subsequently can change it by ordinary law without going to the amendment process of the Constitution. Is that correct or not?

**SHRI K. NATWAR SINGH :** I would not like to cross legal sword with him. I have not read *the Statesmen* article. But my understanding is, it requires 2/3rds majority. Since, Sri Lanka is going if I am not mistaken, for proportional representation system, I think, it will be difficult for any Government to have this kind of change.

**SHRI SOMNATH CHATTERJEE :** 2/3rds majority is a must, plus referendum is needed. But the Supreme Court held, referendum is not needed in this case. It is not needed as a whole. And any subsequent legislation can alter this set up which is being proposed. I would like to know whether any parliamentary ordinary legislation can change it by 2/3rds majority or not.

**SHRI K. NATWAR SINGH :** I would not like to give a categorical answer I would like to get the facts and place them before the House.

**SHRI SHANTARAM NAIK (Panaji) :** There are 37 items in the provincial council. May I know, if the provincial council makes a law on any of these 37 items, whether the Central Government of Sri Lanka can over-ride these legislations by their own legislation.

**SHRI K. NATWAR SINGH :** As I have said, they are divided into three lists. It is a provincial council list or national list or concurrent list. It depends on where it figures.

**DR. DATTA SAMANT :** The Governor can reject the Bill totally. It was mentioned in the Jayewardene's speech made yesterday in Sri Lanka Parliament. The Governor appointed by the President can totally reject the Bill passed by the council. The whole text of Jayewardene's speech has come in the Press.

**SHRI S. JAIPAL REDDY :** If you want, he will read out.

(Interruptions)

**MR. DEPUTY-SPEAKER :** No. I am not allowing.

(Interruptions)

**DR. DATTA SAMANT :** Refer it to Prime Minister.

SHRI K. NATWAR SINGH : I am grateful to the hon. Member that he has read what appeared in the papers.

DR. DATTA SAMANT : Case-fire.

SHRI K. NATWAR SINGH : What do you want ?

DR. DATTA SAMANT : You case-fire.

SHRI K. NATWAR SINGH : I told you why. I listened to you very carefully and I have taken down extensive notes of the information that you make. All these various questions have been answered.

SHRI SHANTARAM NAIK : I said there are 37 items in the provincial list. On these 37 items, if the Central Government of Sri Lanka makes a law, whether the Central Government can over-ride those laws, on the 37 items of the provincial list.

SHRI K. NATWAR SINGH : I do not have it, the entire information. But I will let you have it.

If I can proceed with it, I only want to finally say thanks to all the hon. Members, particularly for the intervention that was made by Shri Bhagwat Jha Azad and Shri Indrajit Gupta. Shri Indrajit Gupta was good enough to say that he supported the agreement and realised that there were some difficulties in its implementation and he referred to the positive aspects. One or two other matters Shri Shahabuddin had raised particularly about the security environment and Shri Gupta was quite forthright in telling him that "Look at the background of this agreement, how it was arrived, what are the conditions before and what the conditions would be, if we were to go back on this agreement." He also said that we have rightly rejected the concept of Eelam and he referred to the earlier rioting and disturbances that have taken place in Sri Lanka when earlier all that you had been asked was to help out. He mentioned that there should be a case-fire. I only want respectfully submit to him that the reasons given are the ones that have been given by the Prime Minister and we hope that a satisfactory termination of the hostilities will be possible as early as

possible, as early as everybody desires it. If we get a clear understanding that the LTTE are on the agreement, then there should be no difficulty.

One or two Members said that we had opted for a military option. I would like to most respectfully say this is far from the truth. The Indian Peace Keeping Force has gone there, to keep the peace. We have all these four years said so in this House, elsewhere throughout the world, that we are for a political solution, because that is the only solution that will have the desired results.

May I just clarify the point raised by Shri Somnath Chatterjee ? The Supreme Court judgment refers only to the referendum for amendments to the package article 145 (g). The whole Constitution Amendment Bill does not have to refer to a referendum, specially the clause referred to by the Supreme Court has been deleted. Amendment to devolution package will require a two-third majority of the membership of the House.

SHRI SOMNATH CHATTERJEE : That is to make it effective. But can it be changed by two-thirds majority in future ?

SHRI K. NATWAR SINGH : I will have to find out and let you know. (*Interruptions*).

Sir, Finally I want to conclude...

(*Interruptions*)

SHRI A. CHARLS (Trivandrum) : Are we making permanent arrangements for eternity or are we looking into the present state of affairs of things. You cannot make a rule like that.

(*Interruptions*)

SHRI K. NATWAR SINGH : You see it depends upon the Parliamentary majority in any system.

SHRI A. CHARLS : Law and Order is a State subject.

(*Interruptions*)

SHRI K. NATWAR SINGH : There is a saying that in the North and the East... (*Interruptions*) I am concluding by saying

that I very deeply appreciate the interest that hon. Members have taken in the subject, as this debate has been through. We deeply appreciate their sentiments.

**SHRI P. KOLANDAIVELU :** I would like to ask one point before you conclude. I have already informed this House and the Speaker also agreed to that. When Shri J.R. Jayewardene visited New Delhi as visiting President, when he was on our soil, he blamed the Tamil Nadu Government and the Tamil Nadu Chief Minister stating that terrorists have been trained in Tamil Nadu and financed by Tamil Nadu. He has said that. I have asked the Government also to condemn Shri Jayewardene's words. I would like to know whether the hon. Minister comes to my rescue, comes to the rescue of this House to condemn all the words of Shri J.R. Jayewardene.

(Interruptions)

**SHRI K. NATWAR SINGH :** I mentioned earlier here that the Prime Minister had taken this up. I think that should be sufficient for the present. May I once again thank the House for the indulgence of the hon. Members who have contributed to a very important, high-level, significant debate ! What we deliberate here, what we say here, is not only confined to this House or to this country but it is also listened to with very great care in Sri Lanka and the world over. There is nothing that we should do which will, in any way, upset the IPKF, lower their morale or come in the way of the smooth implementation of the Agreement so that the political processes can be started as soon as possible.

**SHRI N.V.N. SOMU :** Stop the killings of Tamils. Order ceasefire.

*At this stage, Shri N.V.N. Somu left the House.*

(Interruptions)

15.17 hrs.

**AIR (PREVENTION AND CONTROL OF POLLUTION) AMENDMENT BILL—Contd.**

[English]

**MR. DEPUTY SPEAKER :** Now, let us take up the next item : Further consideration of the following motion moved by

Shri Bhajan Lal, on the 9th November, 1987, namely :—

“That the Bill to amend the Air (Prevention and Control of Pollution) Act, 1981, be taken into consideration.”

Shri Somnath Rath to speak.

(Interruptions)

15.18 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

**SHRI SOMNATH RATH (Aska) :** Sir, there should be a law to put an end to the indiscriminate cutting of trees in the forests. A well-planned approach is needed for the growth of forests. Whether it is the reserve forests or revenue forests or the private forests, individuals should not be permitted to cut down the trees. It should only be confined to the Department of Forests or the Forest Corporation to decide it and they should be given the power to cut down the trees. In the reserve forests, no individuals should be allowed to take lease. In some States there are laws where the Forest Department or the Forest Corporations are allowed to cut the trees. The same thing should also be followed throughout India. Let us put an end to cutting the trees in all the forests. Laws are not wanting in our country. But the implementation of the same is an issue. The need of the hour is the strict implementation of all the laws whether it is water pollution, air pollution, or cutting of trees in forests indiscriminately. Laws are already passed and are in vogue but it should be implemented in right earnest. Progress must not spoil the ecology. A well-planned approach is needed which must also be implemented. We are trying to create awareness among the people. Only having 'Vana Mahotsava' as a ritual is not sufficient. Let us inculcate this into the minds of the public so that one family can plant a tree and nurse it. Huge amounts have been spent on the social forestry and also for afforestation. But if you see the statistics, money that is spent for afforestation or social forestry has not yielded the result. Trees are planted but not nursed. Next year, at the same place, we are to