

many clarifications were sought from Uttar Pradesh Government, which were duly submitted. But the Government of India has neither issued any statement nor made its point of view clear in this regard so far.

The present Government of Uttar Pradesh has once again sent a similar proposal to the Central Government in August, 1994.

Therefore, I urge upon the Central Government to immediately take steps in the direction of constituting a separate state of Utranchal/Uttarakhand and initiate the process thereof.

[English]

(vii) Need to introduce one more Mail Train Between New Jalpaiguri and Sealdah

SHRI SUBRATA MUKHERJEE (RAIGANJ): I would like to draw the attention of the House that Siliguri Municipal Corporation is becoming a Metropolitan city day by day. It is the second biggest city of West Bengal. Particularly Siliguri may be recognised as Gateway of North Eastern part of the country. The North East Zone including North Bengal is famous for tourism. Every year thousands of foreigners visit Darjeeling through New Jalpaiguri Railway station, which is only three kilometres far from Siliguri. Darjeeling earns a lot of foreign exchange by exporting good quality of tea. But the city is completely neglected so far as railway communication is concerned. There is only one mail train named Darjeeling Mail running between New Jalpaiguri and Sealdah, which usually runs late.

Therefore, I request the Central Government to introduce one more mail train between new Jalpaiguri and Sealdah in the morning for the interest of the people of North East Zone.

[Translation]

(viii) Need to open a Navodaya Vidyalaya and a Central School in Dehri-on-sone in Rohtas District of Bihar

SHRI RAM PRASAD SINGH (Bikramganj): Mr. Speaker, Sir, district Rohtas of Bihar has a population of about 20 lakh which is mainly inhabited by poor farmers, labourers, the downtrodden, traders and the minorities. The economic condition of these people is not good. They are not capable of sending their brilliant children to other places for better education. Unfortunately, there is not a good school in this district and despite the provisions made by the Government no Kendriya Vidyalaya or Navodaya Vidyalaya has been set up there by the Central Government. Due to this reason thousands of brilliant students are devoid of good education and as such cannot make any contribution towards national development.

Therefore, I urge upon the Central Government to kindly set up a Navodaya Vidyalaya and a Kendriya Vidyalaya at Dehri-on-sone in Rohtas district of Bihar during the current financial year.

[English]

MR. SPEAKER: Now the House stands adjourned for Lunch to meet again at 2.20 p.m.

13.21 hrs.

The Lok Sabha then adjourned for Lunch till Twenty Minutes past Fourteen of the Clock

14.27 hrs.

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

[English]

[MR. DEPUTY-SPEAKER in the Chair]

STATUARY RESOLUTION RE: APPROVAL OF CONTINUANCE IN FORCE OF PROCLAMATION IN RESPECT OF JAMMU AND KASHMIR

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): I bet to move:

"That this House approves the continuance in force of the Proclamation dated the 18th July, 1990 in respect of Jammu and Kashmir issued under article 356 of the Constitution by the President, for a further period beyond 2nd March, 1995 till 17th July, 1995."

As this august House is aware, in view of the then prevailing situation in Jammu and Kishmir, a Proclamation under Article 356 of the Constitution was issued by the President on 18 July, 1990, in relation to the State of Jammu and Kashmir on the recommendation of the Governor. Since the law and order and security situation in the State continued to be serious on account of the unabated actions of Pakistan to fuel and abet violent subversion and terrorism in certain parts of the State, approval of both the Houses of Parliament was obtained form time to time, for the continuance in force of the Proclamation dated 18th July, 1990. The current spell of President's Rule in the State shall be in force upto 2nd March, 1995.

The Governor of Jammu and Kashmir has mentioned that, on account of sustained operations of the security forces the militants have been brought under significant pressure, and there is improvement in the security situation of the State. There also appears to be a realisation among sections of the militants regarding the futility of violence in the face of determined action by the security forces.

Several developments during the last year, for example, the peaceful resolution of the impasse at the Hazrathbal shrine and the peaceful conclusion of the Amarnath Yatra, despite the concerned attempts by certain militant groups to disrupt it, have come as a set back to the militants and have had a positive impact on the situation. Efforts of political parties to revive their activities, have also been noticed although they have yet to gain the desired momentum. It is expected that these will progressively grow and gather further momentum.

Some problems and bottlenecks which had persisted

with reference to certain procedural requirements relating to the electoral process in the State have been more or less resolved. These pertain to the delimitation of constituencies and work relating to the revision of electoral rolls which has been taken up under the supervision of the Election Commission.

The policy of openness and transparency followed by the Government vis-a-vis the State whereunder, apart from ordinary visitors from within the country and abroad, a large number of foreign delegations, dignitaries and journalists, etc. have been visiting the State, regularly, has enabled a better insight and understanding of the situation and helped to expose Pakistan's continuing massive propaganda and disinformation campaign and annexationist designs in the State. This, and the related development at the international level have also had a positive impact on the ground situation.

Together with the impact of the security operations on the morale of the militants, there are signs of desperation among them and Pakistan. There are reports of attempts to induct an increasing number of foreign mercenaries, including Pakistani nationals into the State; to build up caches of arms and ammunition; to improve weaponry and upgrade violence; and to try and strike at soft targets even in the Jammu region to give the impression that militancy is wide spread, to inflame communal passions, and to generally try and spread a felling of terror. The latest example of this was the perpetration of a series of blasts at the Maulana Azad Stadium on 26 January in which eight persons were killed and over fifty injured. Threats to political leaders etc. are also being issued persistently. The clear aim is to try and do everything possible to thwart the reemergence of political activities and restoration of democratic institutions in the State. It is also clear that Pakistan will continue with such efforts to impede progress towards the restoration of normalcy particularly by trying to maintain an atmosphere of terror and fear among the people.

In this background, the Governor has stated that, although such has been achieved with regard to the security situation and improvement in the overall atmosphere, it is premature as yet to commence immediate action and steps for the installation of an elected Government in the State. According to him, it would be necessary, by sustained action, to further reduce the fear of the gun and contain actual and potential violence. In view of this, he has opined that the Government of the State of Jammu and Kashmir cannot be carried on in accordance with the Constitution for some time more and has recommended that the Proclamation under Article 356 in relation to the State may, for this time being continue to remain in force till the end of the period of the Proclamation which expires on 17th July, 1995.

The report and recommendation of the Governor have been considered, and in the view of the Government, in addition to the aspects brought out in the report of the Governor, there have been several other developments

also which show a marked change in the mood of the people and the overall situation.

Concerted measures have been taken during the past year to bring about greater coordination between the Security Forces and the civil administration and police; and, to reactivate the local administration, create greater accountability and increase the access and confidence of the people in it. Sustained steps have also been taken to accelerate economic and development activity in the State, for which substantial additional financial assistance has been provided to the State Government. Regular reviews of progress have been held to monitor the progress at the Central Government level, and senior officials have been continuously visiting the State and interacting with the State and local administration officials. Considerable emphasis has also been laid on the need for effective monitoring and supervision at the State and District level also. All these efforts have definitely led to a degree of activation and revival of normal activities of the local administration, and have had a positive impact on the overall situation by way of isolating the militants, and with reference to the mood and aspirations of the people.

Other steps have also been taken such as release of a large number of detainees, including some prominent secessionist leaders, which have also helped to focus attention towards the need to end the culture of violence, and the reactivation of the political process. There are welcome signs that voices of moderation and peace have drawn increasing and positive response from the people. A wide ranging public debate is clearly on in the State, which could be said to mark the beginning of a political process in a wider sense.

In the above situation, the Government are confident that the developing situation will lead to the initiation of the democratic process in the State in the coming months, even though we are fully aware of the desperate efforts that are likely to be made from across the border to maintain violence at a high level and thwart every prospect of peace.

After giving careful consideration to the matter, the Government agrees with the recommendations of the Governor that for the present it would be necessary and desirable that President's Rule is extended in the State, till 17th of July, 1995. The Government will keep the situation under continuous review and take further steps as may be found feasible and necessary, consistent with its desire to restore the democratic institutions in the State at the earliest, without compromising with the essential security requirements arising out of the situation as it may develop.

In view of the position explained above, I solicit the approval of this august House to extend President's rule in the State of Jammu and Kashmir for a further period beyond the 2nd of March, 1995 till the 17th of July, 1995.

MR. DEPUTY-SPEAKER: Motion moved:

"That this House approves the continuance in force of the Proclamation dated the 18th July, 1990 in

respect of Jammu and Kashmir, issued under Article 356 of the Constitution by the President, for a further period beyond 2nd March, 1995 till 17th July, 1995."

SHRI JASWANT SINGH (Chittorgarh): Mr. Deputy Speaker, Sir, it is with considerable sadness that I participate yet again in a discussion on a Resolution moved by the Government asking for yet another period for the State of Jammu and Kashmir.

If I recollect right, I seem to have participated in each of these discussions, each of these six-monthly enhancements, not simply from 1990 but indeed from the earlier imposition of Governor's rule there. It is a very saddening task to speak on this subject. Just before the commencement of this discussion, I did ask my senior and revered colleague, Com. Indrajit Gupta, what am I to say on this subject, and he very wisely said that there is nothing left to be said; we have said all that has to be said, in the last five years. So, there is nothing new that we can say. All the comments we have to make about the competence or otherwise of this illustrious Government have been made in the last five years. Yet I must perform my duty and I must share with the hon. Union Home Minister, what I think continue, to bedevil the situation, or continue to trouble us in this trouble State of the Union.

I am struck by the irony of the headline in one of the newspapers today—I think attributing it to some source in the Government—which said that the situation in the State of Jammu and Kashmir is normal but the Constitutional position is yet to be restored. I think this really sums up the irony of the double speak in which we engage ourselves whenever we refer to this trouble Valley of the State. I know that the time allotted to this debate is very short and a number of other speakers wish to join and share their views with the Government. So, rather than labouring over this, I shall be very brief. I pointedly share with the hon. Home Minister what I think continue to be the issues or what I think are some of the more recent eruptions of worry in that troubled Valley.

I think the principal responsibility of the Government and the principal task before all of us, not simply of the Government but certainly of us in the Opposition as well, is to counsel the Government, to advise the Government and to lead the Government into a path that would enable them firstly, to contain and, thereafter, to counter an externally aided and abetted insurgency in the Valley. That is the crux of the problems and will remain till such time as the Government is not able to address itself purposely, positively and meaningfully to that task.

And while reminding the hon. Home Minister of that task, may I also remind him of an unanimous resolution that both the Houses of Parliament have adopted about the position of our Parliament in respect of the State of Jammu and Kashmir? That, Sir, is not simply a cosmetic exercise that the Parliament had engaged in, and if the Government and the collectivity of the Opposition adopted a resolution in both the Houses of Parliament, it does not lie with me to remind the hon. Home Minister that resolution has some standing and that resolution should not become yet

another piece of paper to collect more dust in the archives of our Parliament.

The second, Sir, and I think the most important task before this Government—and this responsibility is only of the Government in which we can do nothing at all, and it is in this task that the Government has more signally failed. It is to restore the authority of the State of India from which only can flow the authority of the Government of Jammu and Kashmir. We, rather, glibly talk of normalcy. I would request the Union Home Minister to share with us the effectiveness of the Government at the village level in the Valley. That, Sir, is the measuring yardstick. Unless your Government has been able to assert the authority of the State at the level of the village, unless at the level of the village the patwari or the lowest of the village official is able to assert the authority of the State, we would not be able to do the immediate task that the State is enjoined to perform, as part of its constitutional obligation.

On the third point, I would elaborate a little bit. I want to leave a request with the hon. Minister, through you, that for the sake of the Valley, please do not subordinate the interests of two-thirds of the geographical State of Jammu and Kashmir. At the present moment, in the situation that is obtaining, it appears that the Valley is holding a kind of veto over developments, whether in Ladakh or in Jammu or other Districts of Jammu and Kashmir. Now this a highly unsatisfactory situation.

I have received here, just earlier, a representation from some prominent citizens of the State of Jammu and Kashmir, representing Ladakh. Amongst the signatories to this representation are hon. Shri Namgyal, who is a former Union Minister of State and who is the Vice-president of J&K PCC(I), Shri Ven. Khanpo Rimpoche, President of Gompa Association of Ladakh, Shri Akbar Ladakhi, President, Ladakh Muslim Association, Shri Sonam Norboo, Member of the ruling party's District Congress and various others.

Now, I have always been of the view and I reiterate that view that for the sake of the Valley, you do not hold developments in the rest of the State as being subservient somehow to what is happening in the Valley.

Therefore, please examine these three or four simple demands of Ladakh or Jammu very seriously and we would benefit if you share the views or the thinking of the Government in that respect. Firstly, it is about the establishment of the autonomous Council for Ladakh. This has been a long-standing demand. It has often been discussed. If I am not mistaken, the Government has already accepted, in principle, the establishment of such a Council. What is holding it up?

Secondly, and this has been a demand of the citizens of Ladakh for a very long time and I personally am of the view that it fully merits such a special consideration, Ladakh was not subjected to income-tax and it ought not to be subjected to income-tax.

The peculiarity of Ladakh, the occupations of the citizens in Ladakh, the total revenue collection from Ladakh etc., do

not warrant the imposition of tax because the cost involved in collection of tax is more than what you actually receive.

The third point is, I do not see any reason why either Jammu or Ladakh ought to continue to remain unrepresented in Parliament simply because we are unable to restore normalcy at the speed or in the manner in which we wished to do it earlier. Please examine the possibility of having a representative of Ladakh in this Parliament who would share with us, as a citizen from that State, what are his views on Kashmir and what can be done in that State. Similarly, from Jammu also, a representative should be elected to represent in Parliament.

The only point that I wish to underline here is whatever I am suggesting in regard to these three proposals is within the existing Constitution of the State of Jammu and Kashmir and not outside of it. Therefore, all that requires really to be done is for the Union Government to take an initiative and share with us its thinking on the subject.

When the issues concerning the Valley are addressed I would like to leave one thought without labouring it too much. I do believe that development is required for the Valley. I do believe that the economic normalcy has to be restored. I do believe that the normal citizens of the Valley are now utterly weary of the seemingly endless trouble that has afflicted them. I do believe that essential developmental work is necessary in the Valley. But not any of these is possible unless you have people's participation and therefore you come back to one of the earlier points that I had made about restoration of the authority of the state and establishing village level participation in the entire Valley.

Very briefly I would like to share with the Government the contours of today's Kashmir and briefly I highlight them. I would request hon. Home Minister to clarify some of the questions that I have asked. I would like to know what is the Government doing about languishing expatriates who are rendered as refugees in their own country who are now over 3,00,000. The Kashmiri pandits who are now rendered expatriates lead a miserable life for the past so many years. What is the new initiative that the Government intends taking about restoring normal existence to these refugees, who are rendered refugees for no fault of their own? What does the Government have in mind when it talks of elections while near about 3,00,000 of them live outside their home? How would they participate in the elections that the Government is talking of?

The second thing which I would like the Government to clarify is this. We do not have access to information. I am intrigued, I am somewhat anxious by the report that I have read. The reports to me, indicate a kind of situation of civil war amongst the insurgent groups within the insurgency in the Valley. This internal civil war within the insurgent groups in the Valley, particularly illustrated by two incidents, to me, has many significant aspects. But I cannot elaborate the aspects until the hon. Home Minister shares with us the details of them. First is the killing that has recently taken place in the vicinity of Dargah

Hazratbal. What are the details of that? How could such a killing take place? Is that a killing between rival insurgent groups? Are we to go by what the newspapers have reported? I would request the hon. Home Minister to clarify what are the details of this incident.

And what actually does this represent? What does it represent for the situation within the Valley and what does it represent for the future of normalising in that Valley?

The second incident, Sir, as part of the civil war within the insurgency, is that there are reports that have been appearing about Charar-e-Sharief, some of the reports on Dargah Charar-e-Sharief appear to be extremely alarming. I would not go by these newspaper reports, to the extent of not even repeating them in the House, but I would request the hon. Home Minister to inform us about the details of what is happening at Charar-e-Sharief near Badgaon. What exactly is happening? How is it possible that day-after-day such reports appear in the newspapers and if these reports are not factually correct, then why has the Government not come out with a factual and correct version of what is actually happening there? We would benefit if the Government lets us know about Charar-e-Sharief.

The second aspect is that I will request the Government to share its thinking with us.

I do believe that the Government is internationalising the situation through default. There was some news about access of Red Cross and Amnesty to the Valley. What are the details of it and what is the Government's thinking about it? Are Amnesty International and the Red Cross going to visit the Valley? What kind of access is it? Is it free access or not free access? We would like to know the details. I am concerned also about the rationale of the Government in permitting Indian citizens to attend the Conference as representatives of Jammu and Kashmir, a Conference of the Islamic Countries—OIC: The Organisation of Islamic Countries. What were the Indian representatives of Hurriyat doing in that Conference and what thought or thinking process, rationale has persuaded the Government to take this initiative? The Government must explain its stand.

Sir, I do not want to take too much time. But I do think that, at least, in substance, because of the inaction of the Government, we have made our foreign policy also as a kind of captive to the prevalent situations, this lack of resolution in the Valley of Kashmir. This is costing the country dearly, because we lose a great deal of the international bank balance of goodwill that India has, a great deal of that bank balance and time spent in unnecessary initiatives of all kinds because Pakistan is determined to raise this issue in each and every international forum and then we are constrained to rebut what Pakistan is doing. And this is not only shackling India's foreign policy initiatives, it is reducing it almost to a one issue policy and it is causing grave depletion in India's international standing. Perhaps, the hon. Home Minister would explain his thinking on this.

Sir, we would like to know the details of the Jammu

blasts. It was obviously an attempt against the life of His Excellency, the Governor of Jammu and Kashmir. It was a very serious incident. Since the incident took place, this is the first opportunity, and it is an opportune moment for the Government to give us all the details about it. I am also constrained to ask about the avalanche because I found it horrific. We will do not have factual information about the recent avalanche that occurred between Qazikund and Banihal. How many people actually got killed? I realise that an inquiry has been ordered into it. I do not wish to preempt the inquiry. I do not expect the Union Home Minister to tell us who is to be blamed or who is not to be blamed pending the inquiry. But we are certainly entitled to know how many actually perished. There are such diverse reports, some newspapers report said that there are nearabout 600 vehicles that were held up and others said that there are 200 vehicles that were held up.

We would like to know the factual details of this horrifying incident that took place at Banihal. Surely, there has been a failure somewhere. That failure will be established by the enquiry that has already been ordered. I do not wish to pre-judge or preempt the enquiry. But I do wish to know the details.

Sir, I would like to conclude in just two or three sentences. The challenge that we face in the State of Jammu and Kashmir, particularly in the Valley, is a challenge to Indian statecraft. It is not simple a challenge to this Government or any other Government. It is a challenge to the Indian Statecraft given the most unrelenting, externally-aided and abetted insurgency. How does India, through the excellence of its statecraft, find a civilised, a humane and a democratic resolution to the problem the afflicts all of us. The problem has got focussed, no doubt in the Valley. But it is a problem for all of us. It is a challenge. It is a challenge to the collectivity of India and it is an externally-aided insurgency, then that external agency, namely, Pakistan, is not simply challenging this Government or any other Government, it is challenging the might of India. This is the challenge. How to find a solution in respect of this problem? How to find a civilised solution, a humane solution and a democratic solution? I leave a thought with the Union Home Minister who is a man of great experience and learning. In the meeting of this challenge, the Armed Forces and the Para-military forces have an onerous responsibility to perform. It is very easy to find fault with what they do. Day in and day out, these young soldiers, the young-boy soldiers of the Para-military Forces stand in the bitterest of cold, alone, invaded by all kinds of fears, all kinds of difficulties, all kinds of prejudices that we transfer from here. I stand for all those soldiers. There is a very very serious responsibility, a very very grave responsibility. Let us be very mindful of the treatment that we meet out to our soldiers and also to our Para-military Forces personnel. The flippancy or the light-heartedness with which we treat their fears, the challenge that they meet on every day, that must receive adequate and continuous support from the Government.

We must now, I believe, take the offensive, an

international offensive certainly against Pakistan, an international diplomatic offensive against their human rights record, for example, in the Pakistan-occupied Kashmir. We must highlight and bring out fully what the present head of that Pakistan-occupied portion of Kashmir is already speaking. There is a great disaffection there. We would like the Union Home Minister to share the details about it with us.

Sir, the Government continuously talks of it. This is my concluding sentence and my concluding advice. I do not wish, in any sense of being disrespectful to the Union Home Minister. But the Government, as a collectivity, keeps on talking of a new initiative in the State of Jammu and Kashmir. There is one very significant new initiative that this Government can take. So far, they have tried their hand. They have done all that they could or they can. The best, the most significant and the most telling new initiative that this Government can now take in respect of finding a proper solution to the State of Jammu and Kashmir is for this Government to vacate the Chair of office to which they no longer have any right. Let this new initiative come from a new Government.

15.00 hrs.

MR. DEPUTY SPEAKER: Now subsequent speakers will have ten minutes. There will be a bell immediately after eight minutes are over and then there will be a grace of two minutes. So each speaker will have ten minutes.

Shri Naval Kishore Rai to speak.

[Translation]

SHRI NAVAL KISHORE RAI (Sitamarhi): Mr. Deputy Speaker, Sir, through you, I would like to make my point in the discussion on the motion of the Hon'ble Home Minister which calls for extending the President's rule once again in the State of Jammu and Kashmir till 17 July, 1995 under Article 356 of the Constitution. The President's rule has been time and again extended in Jammu and Kashmir under Article 356 and every time all the parties give their suggestions and opinions to the effect that democratic process should be restored there and these suggestions remain pending as before. The Government does not come out with a concrete democratic package and regionalism is on the increase in the state.

Mr. Deputy Speaker, Sir, I would like to ask the Government till when shall it rule the state of Jammu and Kashmir in this fashion with the help of Article 356. Regionalism raises its ugly head when no attention is paid to the restoration of democratic process and when there is discrimination on the basis of language, region and other things. There are many reasons in Kashmir. The way President's rule is extended there time and again with the help of Article 356, I personally feel that no solution to the problem can be evolved unless a political package is formulated therefor on the basis of which democratic process can be set in motion within the stipulated time frame by conducting elections from Panchayat level to state Government level. But the Government says repeatedly that it is going to adopt democratic process

but doing otherwise with the help of Article 356, thus maintaining a status quo. Recently, it was also talked in the Hon'ble President's Address about amending the electoral rolls and many other things culminating at adopting a democratic process. This way, the period of President's rule was extended further many times but nothing is being done to strengthen the democratic system. Through you, I would like to urge upon the Home Minister that he should try to find a comprehensive solution to this problem by bringing forward a political package for the state within a stipulated time period. His motion seeks to extend the time period but efforts should also be made to strengthen democratic system and conduct elections at all levels within this period so that the regionalism of Kashmir that raised its ugly head due to repeatedly banking up Article 356 does not affect other parts of the country and this does not unnecessarily become an international issue to be raised in international fora. Therefore, there should be no further delay. (15.02 hrs.)

[SHRI SHARAD DIGHE in the Chair]

Sir, I would like to know from the Government by when will it make an announcement of Political package and conduct elections at all levels by a democratic process and try to find a political solution to this problem. Secondly, the way the Hon'ble Minister makes claims of normalcy by citing the examples of Amarnath Yatra and other things.

Hon'ble Jaswant Singh ji has also touched upon the problem of migrants. We should definitely pay attention to the problems of migrants who are living as refugees. But I would like to know the arrangements the Government of India has made for development, rehabilitation and living of patriotic Muslim Grijarurs who are compelled to live there; who have been divested to their houses and property and are fighting against the militants there? If no arrangements have been made, what are the reasons therefor? On the one hand, a refugee is provided all the facilities in the country but on the other hand nothing is thought about Muslim Gurjars. I would like to know what concrete steps and announcements are going to be made for them?

I will not take much time, as many Members have to speak. Mr. Chairman, Sir, I on behalf of myself and my party express grave concern and emphatically demand that Article 356 should not be repeatedly used and steps should be taken to check regionalism in Kashmir. The discrimination should be stopped, elections may be conducted at all levels, announcement of political package be made and democracy restored there. How far is it judicious to continue to have Article 356 for so long if the Government of India firmly believes in democracy. Therefore, through you, I would like to say that the way the issues of Vidharbha in the home state of hon. Home Minister. Telganganana, Uttarakhand and Jharkhand are becoming hot issues are all because of discrimination only. Such issues including Kashmir will continue to be hot spots and regionalism will acquire serious dimensions if police raj continues, democracy is not strengthened and the problem of Kashmir is not solved by restoring democracy there with the help of consolidated political package. Therefore, the

Home Minister should announce such a scheme today itself which helps to strengthen democracy and weaken regionalism. Kashmir problem should be solved democratically through a political package or the situation will worsen further.

With these words, I demand the restoration of political process and a political package and draw attention towards the problems of Muslim Gurjars and conclude.

[English]

SHRI SUDHIR SAWANT (Rajapur): Mr. Chairman, Sir, I rise to support the Resolution to extend the President's rule up to July and I would also emphasize that the extension of the President's rule should be till such time as is required to restore normalcy in Jammu and Kashmir because democracy without rule of law is no democracy at all.

We must realise that in Kashmir we are not facing a normal situation. The situation is quite abnormal there. We have all recognised that there is insurgency in Kashmir. As far as the situation of insurgency goes, it has its time plan where the Government is required to restore normalcy. All over the world we have experienced this phenomenon. Even in India, in Nagaland and Mizoram, when the insurgency started, it took nearly 15 to 28 years for the normalcy to be restored. That is the process which we cannot ignore. The mechanics of insurgency entail that after the start of insurgency there is a period when it reaches the peak and when it subsides and thereafter a situation is created to restore normalcy. That is exactly what we are seeing. It was in the period of 1991 to 1993 when the insurgency had really reached the peak.

After that we have been witness to a different situation. The improvement of the situation in Kashmir is evident from what Mr. Jaswant Singh has just stated because the tone of his speech in 1991 was different. I remember this because I have also been participating practically in every debate on Kashmir since 1991. The tone of his articulation has certainly been that, as recognised by the Government, that the situation in Kashmir has definitely improved. In 1991 what I said and in 1995 what I say is certainly different.

We have witnessed that the population at least in Jammu and Kashmir and in Kashmir Valley have totally alienated those with pro-Pakistani bias, I would say this is a tremendous credit to the Government. I have served for five years in Kashmir and know the intricacies of the problem in that place. Since 1987 the situation started deteriorating by and by. It was not in isolation, but in reaction to what was happening elsewhere in India when communal fervour, for which certain forces in this country were responsible, was at the height and reached its peak with the demolition. Pakistan and its allies tried to communalise the situation in Kashmir. But we have seen through it now.

It has now been felt that the essence of Kashmiri culture has been secularism. This has been evidenced by the recent statements by some so called secessionist leaders

who themselves articulated that the refugees who have gone out should come back. These statements are indeed encouraging. In the last three years we have seen a gradual improvement of position to the extent that the foundation for a political process has already been laid down. Six months ago if you went through the media reports, the only reports available were about militant activities—so many killed, so many captured, etc. But in recent times you have witnessed a change and some demand for a political process in Jammu and Kashmir is also evident in the media.

So, the talk about militancy has been reduced to that extent. The security forces also have taken the initiative to the extent that when in 1991 there were areas in Jammu and Kashmir and in Kashmir Valley where the security forces could not venture into, today there is no area where the security forces cannot go. The militants have definitely been put on the run. This is evident from the fact that local militancy has been reduced whereas there is a greater induction of mercenaries. This itself is evidence of the desperation into which Pakistan has come. For, after having attempted to subvert the entire population of the Valley and having seen that they have failed, now Pakistan is entirely dependent on two factors. One is the mercenaries and the other is the pro-Pakistani militant outfits. All the incidents which have taken place in the last six months are related to these outfits. Jaswant Singhji spoke about the rivalry among insurgent groups because definitely there is a divide among the militants about the course that is to be adopted and that in itself is an evidence of the sound policy which the Government has followed.

First, we must address the main problem which led to this situation. We are all aware that whatever other causes, historical, political or others may have been, the main cause has been the total collapse of the administration in the Valley and a tremendous amount of corruption to which the people are exposed to.

Sir, in 1987, when I was in the Valley I had the misfortune of watching people carrying jerrycans on their backs for hours on end from the hill tops to their houses. There were no roads and there was no electricity. This was in 1987, not very long ago. That is what basically the people of Kashmir, specifically those residing in rural areas have been deprived of and that essentially has to be addressed today. How we are going to do is the factor which the Government will have to address.

As far as the political process is concerned, the ground has been laid. Now, what plan we have to adopt is the question. I have offered a suggestion. We must try to examine whether the Panchayati Raj Bill which has been passed can be implemented in Jammu and Kashmir and whether we can start with Panchayat elections. The second factor, which Jaswant Singhji has brought out, with which I entirely agree, is that for the sake of Kashmir Valley we should not deprive two-thirds of the people of Jammu and Kashmir of their just demands. As far as Ladakh is concerned, I have demanded in 1991 that a Hill

Council should be set up and I would request the Government to look into this matter and call the representatives of the various parties of Ladakh and once and for all resolve this problem. I would also urge the Government to examine whether such Hill Councils can be set up for Jammu as well as the Valley because these three regions are totally different from each other. There is hardly any commonality and that is precisely the reasons why a different set of administrative machinery is required for these three regions. So, this is one factor that must be addressed to and which will also give the people an opportunity to participate in the democratic process.

The second factor I would like to put forth is about the civil-military relationship. Whatever is said by the Government, I would like to put forth here what I observe. There is yet a lot to be done in this area.

The coordination between the security forces has improved drastically from 1987. Still, there is room for integration. I had recommended that district level coordination authorities should be set up between paramilitary forces and independent agencies. There should be rapid action teams in each district supported by proper intelligence. This has been done to a certain extent. That is why there has been a better targeting of the militants to the extent that the common people have not been harmed in these encounters.

So, what is required is greater coordination.

The second factor is that the Army has been operating in the Kashmir Valley for a long time. The relationship between the Army and the civilian population is extremely cordial and you will hardly find any complaint against the Army, per se. I would request—as was done in Mizoram and as was done in Nagaland—that the Army should be involved in civic action programmes because we all know that at the grassroot level, the administrative machinery that is existing is only in name. So, what is required to be done is this. We must look after the immediate basic needs of the people. For this purpose, the Army must be given sufficient fund to take up civic action programmes.

About human rights, I would like to just put forth two points....(Interruptions)....

SHRI GEORGE FERNANDES (Muzaffarpur): His argument is that in due course the entire country should be handed over to the Army....(Interruptions)....

SHRI SUDHIR SAWANT: The situation of insurgency has proved world over that when the security forces are employed in offensive actions against terrorists, they should also be employed for other actions which would give a healing touch. Force with compassion is the essence.

About human rights, I would say that we are all aware that the Western countries have been trying to impose their values of humane rights; and thereby interfere in the internal affairs of developing countries. I even opposed the Human Rights Commission Bill at that time because India is a democratic country which has got all the institutions which are required. Whether it functions or not is a different factor. That is why, when you talk about TADA,

you say that TADA should be removed. I have heard that in the morning also. But, what is happening at the grassroot level? May I know whether the rule of law is really established in this country or we are going to leave the common man to his fate?

Lastly about human rights I want to say only one thing. That is, the Americans fought a civil war on one issue. That is, on the right of a State to succeed. Millions died because of that; and at that time, violence was employed by the State as an instrument for the integration of the nation. As far as Jammu and Kashmir is concerned—whether there is a problem in Jammu and Kashmir or not—the question is, whether it is a part of India or not? That is why, this Government and this country will have to employ all methods to ensure that Jammu and Kashmir is a part of India so that if the Americans say that they are trying to implement their values of human rights on us, we will not abide, since they have fought a civil war on this basic issue.

The second factor about human rights is—as Shri Jaswant Singh has just now brought out—about the Armed Forces that are operating. When a young soldier operates in the circumstances of insurgency, he is afflicted by the fear of unknown. This is the most difficult job, a soldier can undertake. So, we must also look after the human rights of the soldiers themselves who are in operation. So many soldiers have died and what has been done to them? I do not think that the Armed Forces in this country have ever employed an instrument of terror for the sake of terror. Of course, in the process of operations, some things happen which are inevitable because the terrorists use human beings as shield. That is their way of operation. In that case, if there are some excesses or some incidents, they have to be overlooked because the question is of human rights of the common people. So, whether we are going to give advantage to the terrorists by curbing the acts of security forces is the question. So, there are some issues which the Government will have to address itself to. I feel that the Government is going with the concrete plan of action which is flexible. There has been tremendous improvement in the last three years from 1991. The process of curbing insurgency and establishing normalcy in Jammu and Kashmir has started; and in due course of time, the Government will be successful in establishing complete normalcy by starting the political process in its true form.

[Translation]

SHRI SYED MASUDAL HOSSAIN (Murshidabad): Mr. Chairman, Sir, though we are not against Article 356 of the Constitution yet prevailing conditions have compelled us to support this Resolution. It appears from the Presidential Address to both the Houses that the Government is in the State of complete self-complacency. They think that they have made big strides. The pilgrimage to Amarnath has passed off peacefully and the Government think that it has done a great job. But Maulana Azad Stadium episode on Republic Day does not find any mention in the Presidential Address. The encounters are still taking place. Some people

have become the victims of militants. It is true that the militants are responsible for the incident of 26th January, but the securitymen deployed there are also equally responsible. Where were the securitymen, when the bombs exploded? How did it become possible for the militants? Despite that, the Government is talking of complacency.

Moreover, the incident of Hazratbal was also not mentioned in the Presidential Address. In other words, the fifth paragraph of the Address deals with Kashmir and the sixth with the North—East region including, Mizoram. The seventh paragraph deals with Jharkhand and the eighth with Ultrakhand. If all the four paragraphs are viewed together, it clearly proves that the tribal population of Jammu and Kashmir, Nagaland, Mizoram, Arunachal Pradesh and other areas is not satisfied with the performance of the Government. The Government will have to find out where does the fault lie. The situation is same everywhere.

Everybody knows that the issue of Kashmir is a different one. The another issue connected with this is that it is adjoining Pakistan and the militants are getting all kinds of help from there only. As a result, the situation in Kashmir has become highly explosive. On the other hand, the Government has not been able to understand the problems of tribals. If the Government will not think of the development of hilly areas and their problems are not viewed in wider perspective, the situation cannot improve there. The Government has only one simple solution in its mind that wherever the situation will precipitate, it will create a new State. Earlier Assam was divided into seven states but the problems remain unresolved till date. A new cell has already been created for Jammu and Kashmir affairs in the Prime Minister's office. Later on, an economic package was also declared for that State but has the Government ever given attention towards the development work being undertaken there? The situation today is such that the Hon'ble Governor has almost become inaccessible and the Chief Secretary has been staying in Delhi for the last three months. If people have some problems, to whom will they approach? Had there been an elected Government, the Centre would have blamed the State Government for swallowing the developmental funds. But, today there is no elected Government. Then who is pocketing the money? All the contractors there are having close links with the militants and hence no work is being undertaken there. As a result, the people's sufferings are mounting. The economic plight of the people has deteriorated further. There is no monitoring of the use of the funds being released by the Centre.

A great deal is being talked about the militants. I would like to put forth my views in brief. It is true that the militants are falling in the encounters and their strength is decreasing. I would like to ask the Government how many militants were encountered while crossing the borders and how many of them killed? It has become necessary to know because apart from some pro-Pakistanis, majority of the population is of nationalists. It would not be in the interest of the nation if no difference is made between the

militant and military. Distinction must be made among them. This question is required to be given serious attention. But again the point is how many encounters took place and how many of them were killed while they were going to get trained in Pakistan or during their return.

So far as the political process is concerned, the Government is only thinking of election. But in my view, the situation is not ripe now for holding elections there. If elections are held in such a situation, it will be a sheer mockery of democracy. In these elections, the militants will either contest themselves or will force the people to vote for the candidates of their choice. Under such circumstances, the Government will lose its hold over the affairs of the State. The Government should maintain contacts with the nationalists. In this connection, a report can be asked for from the Hon'ble Governor or some other agency can be engaged to assess the real situation. The persons like Samar Shah are not getting any recognition there.

Sir, I would like to remind the Hon'ble Home Minister of an old incident. He must have heard about Shri Maqbool Sherwani. I am not talking about Shri Maqbool Bhutt. When Pakistan had attacked India in 1947, the first man of Kashmir to become a martyr was none other than Shri Maqbool Sherwani. His only fault was that he had not respected the call of Jinnah Saheb before the division of the nation. At that time, Maqbool Sherwani had stated that the Hindus and Muslims of Kashmir were a single entity and they will not follow Shri Jinnah. He Hon'ble Minister would remember that how brutally and mercilessly he was battered to death. However it is regretting that so far no memorial has been set up at Baramulla to commemorate him.

Further, no incentive or encouragement is being given to those people who are fighting against the militants. It can leave a big impact in Baramulla. The Government should honestly help them out and inculcate such a feeling that their State is being given top priority.

Though Laddakh is a part of Kashmir, it remains cut off from Kashmir for 8 months. In winter, one does not find a way to reach Laddakh. The Government does not think about the people of Laddakh. A few days ago, I had been there. There, the prices of every item is three or four times high. At present Laddakh is peaceful and there is no sign of any disturbance. Why has the Government not thought about the development of Laddakh so far? Will the Government think about them only when the situation will go out of hand?

In 1989, the Government led by Dr. Farooq Abdullah had signed a Hill Council Tripartite Agreement with Laddakh. Why has it not been implemented so far. Does the Government want to play on their nobility.

There are Hindus, Muslims and Buddhists in Laddakh. Hindus and Buddhists have been given the status of tribals but why has the Muslims been discriminated against them? The Government can give the status of tribals to the Muslims of Lakshadweep because Shri P.M. Sayed is a

Muslim. Then what is the fault of the muslims of Laddakh. The Government is not able to understand this simple problem.

As regards 'Dogri' language, the Government has time and again assured that it would be recognised soon but the same has not been done so far. The Government boasted of their achievements under paragraph 5 but the situation, instead of improving, will deteriorate further. As the time is ticking away, the Government should try to control the situation. I am hopeful that if the Government takes appropriate steps, no party will speak against it. Despite our opposition to Article 356, we have been extending full support to the Government. It means that if the Government takes concrete steps and try to resolve the problem, we are with them. With these words, I conclude.

[English]

SHRI INDRAJIT GUPTA (Midnapore): Mr. Chairman, Sir, once again, willy-nilly we have to go through this periodical exercise. There is no option for us. I am intrigued by one small thing. I find that the Resolution which has been moved by the hon. Home Minister seeks to extend this proclamation for only a little more than four months and not six months.

There is a further period beyond 2nd March 1995 till 17th July 1995. Normally, in the past, we have been voting to extend these proclamations of Governor's Rule for six months at a time. This time, I do not know whether there is any printing error. But it seems to be only up to 15th July, which does not cover six months. Is there any significance behind this? I would like to know from Mr. Chavan about it. Is it that the Government has already planned to create a situation by that time whereby they will be in a position to hold elections in Kashmir! I don't know! But we should be told. Otherwise, in July we will have to come back here again and go through this repeat performance.

As far as we are concerned, we do not at all think that elections at the moment — at the moment means in the present prevailing situation in the Valley — are a feasible proposition. No elections can be held unless the people cooperate in those elections. Without public cooperation, there can be no successful elections. At the moment, the alienation which exists between the people in the Valley and the Government of India has not shown any sign of being reduced.

There are, I do agree, one or two slightly hopeful signs in some other direction. One sign is the fact that from all the reports that we are getting we can see that the people are getting increasingly disillusioned with Pakistan. That is a fact. I have no time to go into the analysis of all those. But it is a fact. It may be due to the fact that they had expected something more from Pakistan but that had not come to pass. This could be one of the reasons, apart from the diplomatic reverses which Pakistan has suffered on this issue in many international fora and the fact that the Pakistani Army is certainly not coming to the Valley to rescue anybody. So, there is a disillusionment with

Pakistan and it is growing. There is also, I am told, a feeling of revulsion to some extent against those militants or insurgents or whatever you like to call them, because of the excesses which they have begun to commit against the ordinary civilian population. We had the same experience in Punjab and I think the Home Minister remembers it. After some period, after a long time of suffering and fear, people begin to turn against these people who in the beginning appear as their saviours, but later on resort to intimidation, terror, extortion, atrocities and so on. This is happening in Kashmir also, no doubt, partly due to the fact as was mentioned earlier, that there has been an induction into their ranks of people who are not Kashmiris at all. People who are mercenaries from Afghanistan, from Saudi and other places have been recruited, via the good agencies of Pakistan, I am sure! There have also been operating in this area.

So, these are somewhat positive signs which may develop later into something more helpful. But my point Sir is that there can be no qualitative change in the situation unless the Government, for goodness' sake, stops considering it purely as a law and order problem and does deal with it as a political problem first and foremost, which it is not doing.

I would like to say that it is not showing the slightest initiative in that direction. The roots of this insurgency do not lie outside Kashmir. Some people think that they are all creation of Pakistan from behind. No. Pakistan has interfered, is interfering, is trying to wage what is described, as a proxy war and so on. No question of underestimating the mischief that they have created. But the roots of this insurgency lie in the Valley itself and they have to be dealt with there. Why these people, who at one time, stood behind Sheikh Abdullah in order to bring India into the Indian Union; why these people who repulsed the Pakistani invaders; have become alienated like this from us completely? Now, who is going to go into this whole history of what happened? Now there is no time also. But, should not our Government give serious introspective thought to what has happened over the years and why have we been landed in this predicament now?

It has become a bleeding wound for us. A wound which is bleeding and does not stop bleeding. Thousands of people have lost their lives. I do not know the exact number. So, now it is time that we, by we, I mean the Government, take some positive steps; I am sure the entire country, the entire House will be with them. The Government is not changing its attitude at all.

Sir, for one thing, it is rather embarrassing to talk about individuals; I do not like doing that. But the fact remains that with the type of Governor that we are persisting with in Kashmir—I do not know him personally, I have nothing against him, he may be an excellent man, he may have been a very good soldier in his time, I do not know—but certainly in the role which he is supposed to play as Governor of Jammu & Kashmir in the present situation, I would humbly suggest that he is not the best fitted person. He has no political interaction with people. A Governor

must be somebody who can be open to the people, talk to them, hear them, listen to them with sympathy, otherwise no Governor, you see, in the present situation will be able to do anything.

There is a paper called "The Kashmir Times" of 28th October which has given figures to show that during the 593 days that he has been in office, the Governor has granted audience to 85 civilians which works out to one person per week on an average. This kind of Governor would not do. You can say that he has got Advisors who are doing the job, he need not do it. I know he has got some good Advisors like General Zaki and so on. But the Governor is, after all a symbol of something. He is not just a figurehead. In this situation, he is a symbol of India as far as the people there are concerned. Therefore, we have mentioned this matter, times without number, even to the Prime Minister himself, but for some reasons or other, which I am not entitled to probe into, the Government of India, the Home Ministry and the Prime Minister seem to have unbounded confidence in the present Governor. I do not want to say anything more about this. I think there should be a change. There should be a change. I am happy that he escaped that attempt on his life on the 26th of January. At the same time that incident of three bombs exploding just almost below the dais on which the Governor was standing gives a untruth, I think, to the claim that the militants are being curbed, their activities going down, the security forces are getting on top and so on. What kind of intelligence have we got? Where a Governor is to deliver his address after a few minutes and below the platform on which he is standing there are planted three bombs which go off and might easily have caused much more heavy casualties than they did! Then you can say that—that is a worse thing to think of—there was collusion, that people who planted these bombs were people who were in collusion with the militants. In any case, it shows that the capacity of the militants is certainly not going down. So, I would suggest that in the case of the Governor, something should be done.

Secondly, it is a very delicate matter to talk about our security forces. As I know, it can be misinterpreted, it can be misused and all that. Nevertheless, to keep silent on this issue is something which I do not think is correct in today's situation. There are many types of security forces. There are paramilitary forces like CRPF and BSF, there is the regular Army, and there are other forces. But there are published reports, not by foreign agencies but by our own journalists some of whom are personally known to us and whose intentions cannot be questioned, who have been to Kashmir, come back, written the reports, which are very disturbing, at least as far as the Border Security Force is concerned. The regular Army, I think and I am glad to say, is being unnecessarily maligned by people who want to attack India on the question of violation of human rights and all that. The Army is generally more disciplined. It is a better trained and a more disciplined force. But reports

about the BSF are so many. I do not know that the Government or the high command of the BSF is doing in the face of all these reports which cannot be denied.

Only the other day, I forgot the name of the place, five people who were shopkeepers, who were sitting inside their shops were dragged out of their shops, shot and killed on the streets. All kinds of killings which took place at Kupwara, the earlier incidents—I am sure the Minister remembers them—so far as Brij Bera have left deep scars on the minds of the people. There are all types of humiliations, I do not know whether these officers of the BSF and other paramilitary forces trust anybody there. It seems there is some kind of bias against anybody who is a Kashmiri, perhaps because he is a Muslim. To drag a Doctor out of his car, give him two slaps and abuse him, and then the number of cases of torture, the number of cases of rape, I regret to say, the militants are also doing these things. But that is no comfort for us. The militants are also doing these things. But that is no comfort for us. The militants are not our people. These things should be somehow or other stopped. I do not know whether the Government has the desire, the will or the capacity to do it, but I think a uniformed force which is wearing uniforms can be made to subscribe to better standards of discipline. I do not mind their going and shooting any number of militants they want to shoot. If they are clashing with the insurgents, let them clash; all power to their below. But when they come in confrontation with the civilian population, men, women and children they have to be hundred times more cautious and careful. Otherwise, they are regarded as an army of occupation; this is something which will be disastrous for us.

There is talk of delimitation being carried out in the constituencies. Mr. Chavan has said just now that that work has been taken in hand.

I do not know whether delimitation can be done when there are no census figures. The last census was taken in 1981. Without up-to-date census figures, how can delimitation of constituencies be carried out? So, this is the think which I take with a pinch of salt that this work is being carried out.

The other point that I want to make is that just as you want to stick to this Governor, you are welcome to do it, please do not stick only to old leaders and old parties which used to function at one point of time in the Valley. Dr. Farook Abdullah is a dear friend of mine and I hope he does not misunderstand if I say that apart from him and his National Conference which used to function in every village of the Valley at one point of time, there are new and young leader. Dr. Abdullah had such prolonged periods of absence from the Valley that his cadres have been left unprotected. That Organisation is by no means what it used to be. But new leaders have come up. Do you recognise them? There are new leaders who at one time allied with the militants have changed their position, who no longer want to rely on the gun but want to have negotiations, talks and dialogues. I think you know the names of Shabir Shah and Yasin Mallick. What are you

doing to encourage them? Have you extended any hand to them? The other outfit which is directly financed and armed by Pakistan, the ISI and the Hizbul Mujahidin who are the biggest enemies that one can imagine we have got, are trying to liquidate the JKLF leaders because JKLF leader want dialogue and not gun.

Sir, last year you remember when the Hazratbal crisis took place, when we tried to get the militants out of the shrine peacefully; one JKLF leader Idriz was instrumental in bringing out these militants. Of course, there were people on our side also who helped in bringing out the militant. Then he was killed by Hizbul Mujahidin. So, you should remember there are different ways of fighting. The people are fighting in their own way and are looking in vain to the Government of India to stretch out its hand and take some initiative.

I believe that Pakistan is relying on American plan called the Dixon Plan. Shabir Shan has said in one statement that he wants to use the needle and the thread to saw the three parts of Kashmir together into one fabric. But there is a plan called Dixon Plan by which the Americans want to split up Kashmir into two or three segments and Pakistan may be replying on that. So, it is time we were more active in our diplomacy, in our moves and there should be an open attitude without pre-conditions. When we sit at the table for dialogue then all these pre-conditions can be put on the table and discussed, either accepted or compromised with or rejected.

16.00 hrs.

But do not being by saying that there must be such and such precondition otherwise we will not talk to anybody, then this problem will never be solved.

So, Sir, these are some of the points I wanted to make because I am sure, after four or five months we will be here again, discussing another resolution, which I hope Mr. Chavan will not bring. In the meantime, the proposal which was made here sometime ago by Shri Sudhir Sawant also that "Can you consider the question of at least holding the punchayat elections at the local level?" I do not know whether it can be done because there also the question of constituency, voters list and all that will come and you have not got the census, you have not got the population figures and you have not got anything.

But anyway, it is worth considering as a method of defusing the crisis. So, please consider it and please do not go on thinking that you are going to solve this problem by the power of the gun. It will never be done. However, gun is required sometimes, there is no doubt about it. But mainly it is a political issue and it has to be solved politically. So that is what I have to say, Sir....
(Interruptions)

[Translation]

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal): Mr. Chairman, Sir, we are once again going through this formality. My preceding speakers have said a lot about Jammu and Kashmir and the issue does not need to be dwelt upon at length but it is quite painful that after every 6 months we gather here, deliver long speeches

which barely seem to prompt the Government to act. It does not seem that the suggestions given from this side are pondered over and this is regretful because there is no trace of a beacon of light across this long dark tunnel the reason being that this Government lacks in a policy or any plans to deal with it. There should have been a long term planning about it but there is not even a short term one. Nobody knows what is going to happen tomorrow. We, generally, ask here what is being done in the Ministries. The Statements differ from person to person. In other words, nobody knows what policy will be followed during ensuring two-three days. So, how can we expect a long term policy from this Government. Hence, the painful part of it is that any beacon of light visible in future will be welcome but in case it is otherwise and we don't know what we are doing and where we are going, then I don't know how can these problems be solved?

Sir, the hon. Prime Minister has taken charge of this department but I am not able to see any change in it. The hon. Prime Minister is not present here though he should have been because he is looking after the department of Kashmir affairs. The hon. Minister is also maintaining a status quo and there is no discernable change, no progress from any point of view, so that we could realise that some initiative has at least been taken and the first step taken in a long journey, in the right direction would definitely lead us to our destination sooner or later. But it seems from the wrong and unreasonable statements issued that the confusion is further confounded and this is why when, today, we are speaking about the same thing here twice, thrice, or even four times, our indignation has turned into a painful concern. We are repeatedly searching for a solution to this problem. There is no hope of the government doing anything but we are left with no alternative and, thus, we are compelled to support it, may be for the whole term of five years expiring in July and what will happen next is not known. It is further a matter of more grave concern that this Government is not able to put to use its will power if it is present there even in the least because it has been bogged down in the quagmire of appeasement policy and the politics of vote-bank so much so that it is least interested in safeguarding its national interests.

I will corroborate my contention by citing an example in a minute or two. Mr. Chairman, Sir, a resolution regarding Jammu and Kashmir was passed with great pride, hopes and enthusiasm in this very House. The hon. Speaker was on his legs to read out that resolution. Subsequently, we hoped that the Government would take some steps because both the Houses had equipped it with enough will power but it is quite shameful that such a resolution was also assigned to some dustbin. The fate of that resolution is unknown. That resolution spoke of occupied Kashmir. Today, we are not able to control the territory of Kashmir within our jurisdiction. Just now, Shri Indra Jeet Gupta demanded that elections should be held in villages. Who controls villages? Are the orders of the government of India complied with in villages? Take the example of Charar-e-sharief. We are not aware of the ground realities there. But

we come to learn from newspaper reports that even our army cannot enter the five km. belt surrounding the pilgrim centre guarded by the militants. That area is inaccessible for us. Such things were first witnessed in Kashmir valley, these spread to Doda and today militancy is blatantly encompassing Jammu in its fold. In his statement, the hon. Home Minister says that the situation is turning for better and the morale of militants is dampening. I don't believe that the hon. Home Minister has the sort of informations that we possess. He should possess more information than us and if he does not, then it is a very dangerous thing. He is here compelled to issue statements indicating that the situation is turning normal and if it deteriorates again, then we will see how to tackle it. This is akin to that famous story in which after every slap a person dares the persons beating him to slap him once more and face the consequences. Therefore, I don't believe in the situation turning normal. You are also aware that the situation is not good but in keeping with the customary formalities you are forced to issue such kind of statements. How long will this continue;? There should be a change of direction somewhere, an act of safeguarding our national interest so that we can achieve our objective even after 5-10 years. Today, we are not even aware of the path we should choose for ourselves.

When the rostrum where from the hon. Governor had to deliver his address in Jammu on 26th January was not secure, how can we imagine that normalcy is being restored? The newspaper reports revealed that five children were killed in a bomb explosion at Jammu-Nagrota by-pass. During search operation, the police found 900 detonators from there. The Army core head-quarters is situated at Nagrota which contains a large contingent of our army. Explosives are openly smuggled out from there but we can detect these only when a mishap takes place. We are able to apprehend such anti-national elements after they commit mistakes and are not competent to anticipate their illdesigns and you claim that the situation is returning to normalcy.

Our deputy leader Shri Jaswant Singh has also urged as do I that the Government should apprise the House of the real ground situation with regard to Charar-e-sharief. Does the situation prevailing there coincide with what newspapers reveal and do you want to repeat Hazratbal episode there? That is, first let the situation go out of hand, dramatise it and then say that we have brought it under control in order to earn applause.

[English]

You create a situation just to get credit. I hope, the situation is not like that. Would you kindly clarify?

[Translation]

Our information with regard to 'situation turning normal' is that 150 offensives have been launched against our forces in January alone. How can normalcy be restored when assaults on our armed forces are on an increase?

Similarly, civilians are no exception. I have with me the figures of Kishtwar which reveal that there have been eight

attacks during the month of January alone. Now broad-day-light kidnappings are also resorted to and there is nobody to check this. Given such a situation, how are you talking of holding elections there when the government is not able to protect the life and property of the citizen there?

They talk of development. The Government also say that crores of rupees are sent there. But the whole money is going in the hands of terrorists. I have been speaking here about Dulhasti project in Doda for the last two years but the work on this project is still to start. It is not being taken up because the terrorists will not allow it. Further, the construction of road is also not being undertaken because Border Road Organisation is afraid of terrorists on onslaught. But the Government claims that the situation is improving. On the other hand, we have been blaming Pakistan for the deteriorating situation. I also agree that Pakistan is successfully waging a proxy war. That country is neither suffering any human casualty nor there is any pressure on it. Based on my experience so far, I would like to state that unless a clear signal is sent to Pakistan that it will have to pay a heavy price for its nefarious activities, the attitude of Pakistan is not likely to change. It will not change its policy even under international pressure. The Government should also think in this direction. If Pakistan continue to indulge in such acts, it will have to be taught a lesson.

I would like to say a few words about the security forces. As Shri Indrajit Gupta has stated that the security men are also involved in the disturbances, I would like to say that such persons should be given stringent punishment. The Government should set a precedent. I beg pardon from Shri Gupta and would like to state that there is a tendency among big journalists to print such news-items as front-page headlines. A few days ago, there was a headline in a newspaper that the army had admitted that it was to court-martial a higher official. However, the Government immediately denied it. It is regrettable that the news of denial was given very little space on a corner side of the newspapers. The para-military forces are in great difficulty there. They are being subjected to injustice. The Government should give them due protection.

In the end, I would like to submit that the Government should take effective steps to solve this imbroglio.

16.14 hrs.

MESSAGE FROM RAJYA SABHA

[English]

SECRETARY-GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:

I am directed to inform the Lok Sabha that the Special Protection Group (Amendment) Bill, 1994, which was passed by the Lok Sabha at its sitting held on the 12th December, 1994, has been passed by the Rajya Sabha at its sitting held on the 14th February, 1995, with the following amendments:—

ENACTING FORMULA

That at page 1, line 1 for the word "Forty-fifth" the word "Forty-sixth" be substituted.(1)

CLAUSE-1

That at page 1, line 4 for the figure "1994" the figure "1995" be substituted.(2)

CLAUSE-3

That at page 1, for lines 10 and 11, the following be substituted namely:—

"3.(1) The Special-Protection Group Ordinance, 1995 is hereby repealed.(3)

Repeal
and Saving

Ord. 1 of 1995

I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 128 of the Rules of Procedure and Conduct of Business in the Rajya Sabha with the request that the concurrence of the Lok Sabha to the said amendments be communicated to this House.

16.15 hrs.

SPECIAL PROTECTION GROUP (AMENDMENT) BILL

As Amended by Rajya Sabha

[English]

SECRETARY GENERAL: Sir, I lay on the Table the Special Protection Group (Amendment) Bill, 1994, which has been returned by Rajya Sabha with amendments.

16.16 hrs.

STATUTORY RESOLUTION RE: APPROVAL OF CONTINUANCE IN FORCE OF PROCLAMATION IN RESPECT OF JAMMU AND KASHMIR-(CONTD.)

[English]

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Chairman, Sir, I begin by borrowing a quotation from Mr. Jagmohan with whom I generally disagree on the situation of Kashmir. He quotes Emile Zole to say:

"While truth is buried underground, it grows, it chokes, it gathers such an explosive force that one day it bursts out, it blows everything up with it."

Mr. Chairman, the recent explosion on the 26th January, 1995 was one such explosion which should make us conscious of the reality and the truth and give us the strength and the spirit and the determination to face the truth. And what is the truth in Kashmir? One truth is that there is a proxy war, that there is terrorism, aided and abetted by an outside power trans-border terrorism as we call it — amounting to a proxy war and we are unable to cope with it.

We are unable to cope with it. We have been unable to

checkmate Pakistan politically and diplomatically and we have not been able to stop Pakistan from this game of aid and abetment. The other truth is that there is total alienation among the people of Kashmir. I am not one who would condone terrorism. Terrorism cannot be condoned by any civilised society. But are we able to cope with this total alienation of the Kashmir people?

Prof. Hiren Mukerjee, one of the most eminent people in our public life, recently said on February 25, 1994,:

"Even today, perhaps, the best of us do not quite realize the depth of Kashmiri alienation and are unready to ponder ways and means of overcoming it."

There is a vicious cycle. Alienation, repression, more alienation, more repression and it goes on and on and the Kashmiri people are being ground between two stones, the terrorists on one side and our security forces on the other. And, there is no go for them. There is a desperateness in the situation. There is frustration. He say that we do not see light at the end of the tunnel. I do not know what light the Kashmiris see at the end of the tunnel.

When we suspect the entire population to be hand in glove with the terrorists, when we start shooting at our own people, when we use our Armed Forces against our own people, then, how can solve this conundrum, I really cannot understand.

Sir, there have been any number of killings, thousands and thousands of them. I shall not give full credence to what the international Press has reported, to what Amnesty International has said. But I am still to see a point by point rebuttal of whatever allegations the Amnesty International has made, a case by case rebuttal. But let us forget that. We do not have to count our wounds, Mr. Minister! There have been thousands of people killed. There have been custodial deaths in hundreds. There have been thousands of people under detention. People have been killed in encounters. Houses have been burnt, bastis have been burnt, entire mohallas in Srinagar town were put to torch and black laws continue to be in operation; not only TADA that we complain of in the rest of the country but the Armed Forces (Special Powers) Act, the Public Safety Act of Kashmir. And now we have lost all pretence. There is not even a sense of shame when we kill our own people. Previously we used to say, "We are protecting the people against the militants; we are there to protect the people". Then we thought, it did not pass muster. So we have started saying "We are suppressing the militants, and militants only" and now we have gone to a phase where we are repressing the people of Kashmir, the people as a whole.

In whom does sovereignty reside? Sovereignty does not relate to a territory only. Sovereignty resides in people. If all the people of Kashmir are against us, and if we are there to treat them as our enemies, then I do not see any solution to this problem.

Mr. Chairman, I do not think that we can pat ourselves on the back and say that it is patriotic and nationalist on our part to fight for Kashmir to the last Kashmiri. That

Pakistan can say, Pakistan is prepared to fight for Kashmir to the last Kashmiri. But can we say that? Can we accept that as a basic of our policy?

We seem to have adopted some colonial methods, rather with less efficiency. We are such less efficient than the colonial powers used to be and the colonial powers used to play this game. First, either use force or divide the people. Or finally get some power brokers, put them up, instal them in the *gaddies*; they would last for a while, you can replace them. They are expendable. One set can be replaced by another. Are we playing the colonial game in Kashmir? I would like to know it from the hon. Minister.

The judiciary in Kashmir has thrown up its hands. It says that it cannot deal with the situation. A Judge of the High Court in his Judgement has said: "We pass any number of orders but the Executive does not carry them out. The Executive does not bother, does not take notice of the orders." Thousands and thousands of Habeas corpus orders against detention just go abegging and the orders of the High Court are not even worth the paper on which they are written. There is an order on record by a S.P. of Srinagar which says: "If somebody comes to you and files a complaint, do not accept that complaint, do not accept that FIR without the approval of the higher authorities." So, where does the citizen go? He cannot go to the Governor. He has no access to the Governor. He cannot come to the Home Minister. He has no access to the political parties in our country. Where does our Kashmiri brother go? Therefore, the situation goes on worsening everyday.

Now have put up some cosmetics. We have even established a National Human Rights Commission. I must say that the attitude of the Chairman of the Human Rights Commission, as revealed in some of his public statements, is strange and tragic indeed. In one statement he justified torture. He says that you cannot get the truth without it and you have got to use it sometimes. Let the police officer say that, not the Chairman of the Human Rights Commission. And then he compares the atrocities committed by the terrorists and the atrocities committed by the Government forces as if it were a game, a tennis match between the two of them. As Chairman of the Human Rights Commission, he has to speak about the human rights, not about the perpetrators, not about the subjects but about the objects of atrocities. Are they being subjected to violation of human rights or not? That is the question for the Human Rights Commission. But that is not the attitude and that is why the Human Rights Commission itself is losing its credibility and I do not think that that cosmetic is going to serve us any more.

16-22 hrs.

[Shri P.C. Chako in the Chair]

We have the famous case of Mir Waiz Farooq of Kashmir who was killed. Then, there are cases of Mir Waiz of South Kashmir, of Prof. Mushirul Haque and of Dr. Guru. Now, I was told that they have all been eliminated by the militants and we have got the killers in our hands. We have solved the cases. I want to put a question to the Hon.

Minister. I wrote him a letter and I wrote a letter to the Governor: "Why do you not put them on trial?" I ask the question again today. If you have got the culprits in your hand and if you know the identity of the killers, them atleast for God's sake, place the whole truth before the people. Whom are you trying to protect?

Then, we have issued an economic package; we issued a development package. Sometimes, we enter into a game of musical chair in administration. You talk about the change of the Governor. That change has also taken place. Gen. Krishna Rao was sent there with great hope. But can merely a change of Governor change the situation unless we have got a policy, unless we have got a political package to offer to the people of Kashmir? Financial package will not do, development package will not do, economic package will not do administrative reorganisation will not do and political reshuffles in Delhi will not do, unless you have a solution to the problem and unless you deal with it with a policy.

And you speak of an election! That election is going to be a farcical election. You cannot even revise the electoral rolls. You cannot delimit the constituencies. If you hold the elections, you will not be able to find even Presiding Officers or Polling Officers. You will be able to get the people to vote only at the point of a gun and the world will not believe you. It will not serve any purpose at all. I will bring a shames to our democracy. Instead, please apply your mind and act with a statesmanship. I think it is not beyond our wisdom to find a political solution, if you treat it as a political problem. I asked the hon. Minister, "Why do you not call the political parties for consultation?" It is a national problem. It is not a Congress Party problem. It is not only a Government problem. Why do you not enter into a dialogue with all the political parties to find out a solution, which is acceptable to all the people of India which is in consonance with our democratic traditions and with our cultural heritage and with the spirit of Kashmir?

I also ask him one thing more. You have now many political leaders floating around in Kashmir. You released the Hurriyat Leaders. You have been allowing them to go abroad. You permit them to talk to the President of Pakistan. But you are not prepared to talk to them.

I do not understand this anomaly. You have got now at least half a dozen people who are around, who are being interviewed, who are issuing statements, who have publicly given up the culture of the gun, who are prepared to talk to you. Have you invited them? Why don't you invite them formally? Why should you talk only to Farooq Abdullah, and that too privately? Have you had any formal negotiations even with Farooq Abdullah? His party, at the last meeting of its Working Committee in Jammu, passed a resolution saying something—maybe I agree with it or I do not agree with it. After that, what was the response of the Government of India? I am yet to see a response from the Government. Therefore, I plead with you for a political package, for a political solution. Take it as a political problem. Invite, on the one hand, all the political parties of India to help you find a solution, and invite, on the other

hand, all the political leaders of Kashmir, I would say, unconditionally. Let them just sit across the table with you and say: "Look brother, sovereignty is not negotiable, terrorism is not acceptable; short of that, come on, let us have your terms, let us find a meeting point." Autonomy is the key word, Mr. Minister, and unless you give some flesh and blood to autonomy, unless you give some meaning to the concept of autonomy, Kashmir will not be saved and we shall lose Kashmir. Your army will not save Kashmir, extension of Presidential rule will not save Kashmir. Governor's change will not save Kashmir. Any economic charity that you show towards Kashmir, will not save Kashmir. Kashmir will be saved only by winning the heart and mind of the people of Kashmir. And that can be done not by your bullets but only by a dialogue. Let us start a dialogue. Let us concede the question of autonomy, and work out the limits of autonomy, let us have a sincere and a meaningful dialogue. That is all I want to say, Sir.

MR. CHAIRMAN: Thank you, Shahabuddin Ji. We have six speakers and only seven minutes are left. So, please bear with us.

SHRI ANNA JOSHI (Pune): Sir we have been waiting here since two o'clock. Our names are also there.

MR. CHAIRMAN: Anna Joshi Ji, two Members from your party have already participated. We have to allow other parties also.

SHRI ANNA JOSHI (Pune): Yes, sure, Sir.

MR. CHAIRMAN: Please take your seat. Now I call the name of Shri V.S. Rao, Mr. Rao, please finish within two minutes.

SHRI SOBHANADREESWARA RAO VADE (Vijaywada): Thank you, Sir, for giving me the opportunity to participate in this discussion. With a heavy heart we are supporting the Resolution moved by the Home Minister because there is no other alternative. On earlier occasions when similar resolutions had been moved, at that point of time also we supported it. But, at the same time, the Government was giving a hope and the Members were very hopeful that the situation in Kashmir will return to normalcy, elections will be held and democracy will be restored. But, unfortunately, it has not happened. The hopes of the people were raised when the hon. Prime Minister declared from the ramparts of the Red Fort that the Government was taking all necessary steps to hold elections. But I think the Prime Minister should not have given such wrong impression to the people because the hard realities in the Valley are altogether different. I do not wish to repeat what my predecessors have already told. Still hundreds of people are being killed in Kashmir. In the matter of just six-and-a-half months, 526 civilians were killed and 986 persons were injured due to the terrorist violence. The terrorists have attacked our security forces 1,275 and in each incident one or two security personnel were killed. When this is the situation, it is not conducive to hold elections there. But, at the same time, at least now that the Prime Minister's office is handling the Jammu and Kashmir situation directly, unlike in the previous times, we

hope and we suggest that the Government should take all necessary steps which have brought the situation to this level. One of the most important things is the administration which, we are told, has come to a grinding halt and lot of corruption is there. I suggest to the Government to send very honest and dedicated officers there so that what all the Government wants to do and what all help and resources the Government is pumping there, should directly reach the targeted people and they do not feel that they are being neglected.

It is because of lot of unemployment there. Though my friend Shri Shahabuddin has said that all these things may not work, we are hopeful. It is not that earlier the Government of India has not sent the money. It has made available lot of money. But that went into the pockets of some influential political leaders or the corrupt officials which has given a wrong impression and alienated the youth of Kashmir. Now the Government should look to that aspect.

My suggestion to the Government is to kindly open a dialogue and have negotiations with all the people who are having different shades of opinion and find out to what extent the Government can agree to some of the suggestions without compromising the sovereignty, the territorial sovereignty. Under any circumstances, we cannot compromise with that.

A big nation like the U.S.A. is speaking in a different tone very recently and the Assistant Secretary of State has talked on several occasions that the U.S.A. does not recognise the Instrument of Accession of Jammu and Kashmir to our country. And we are not going to accept this. Without compromising on that aspect, we should find out how best we can make the people of Kashmir feel that they will be able to shape their State, their destinies and their prosperity. The Government must think about this seriously.

I thank you very much for giving me the opportunity to speak.

MR. CHAIRMAN. Now I request Shri Inder Jit to speak. Shri Inder Jit, your time is limited to two minutes.

16.32 hrs.

SHRI INDER JIT (Darjeeling): Well, Mr. Chairman, I thank you very much for giving me a chance to speak a few words. But, quite honestly, I do not know what I can say in two minutes.

However, I must say that I rise to support the Resolution seeking extension of President's rule in Jammu and Kashmir. I have noted with interest what my namesake Shri Indrajit Gupta and later Shri Shahabuddin have stated. Now, it is interesting that the Government is seeking extension of President's rule only until July 17th and not for a whole period of six months. I believe there are certain constitutional constraints and there are certain limitations imposed on us by the Constitution of Jammu and Kashmir. I hope that the hon. Home Minister, when he replies to the debate, would adequately explain the whole thing since my time is limited.

Sir, both Shri Indrajit Gupta and Shri Shahabuddin have strongly demanded a political solution. But I think, in doing so, they seem to ignore one basic fact that we are facing a proxy war in Kashmir. Wars have not been, and have never been, solved through political methods. Wars have to be won with weapons. First of all we have to defeat Pakistan in its attempts to wage a proxy war across the border. Therefore, I would strongly urge the Government to do whatever it can do in its power to defeat Pakistan in its clandestine and nefarious and abominable game. Of course, they have stepped up recently their own efforts to destabilise the situation. This is reflected in what happened on the occasion of the Republic Day in Jammu. I believe that the metal detectors were not able to detect; the sniffer dogs were not able to detect because it seems that Pakistan had succeeded in smuggling in highly sophisticated weapons which perhaps are being operated not on the basis of timing but through remote control.

Therefore, Pakistan is going all out and is determined to do two things—firstly not to allow normalcy to be restored at any price and secondly not to allow elections to be held. Sir, I would venture to submit that so far as a political process is concerned, first you must seek to defeat the militants and Pakistan's efforts at inducting so many mercenaries. Subsequently—and, perhaps, not necessarily subsequently but, perhaps, even simultaneously—we would try the political process to the extent that we should be willing to talk to everybody. I agree with my friend, Shri Indrajit Gupta. I do not think that we should lay down any preconditions. We should be prepared to talk. And I say this from my own experience of what happened in Darjeeling.

At one stage, the leader of the Gorkha Movement was being denounced as anti-national. But we agreed to talk to him Sardar Buta Singh who was the then Minister is present in the House today. We should be willing to talk to who are willing to talk.

The elections in Kashmir are not going to be easy to be held. There is a tremendous threat of militants. Pakistan will not allow elections to be held. In such a situation, I think, we should seriously consider the possibility of an alternative political process. I would strongly urge the Home Minister that we should consider the question of *de facto* revival of the Assembly. I am not saying *de jure*. I am merely saying that we had an Assembly. That Assembly stands dissolved. We should take advantage of the ex-MLAs and constitute them into an advisory body which could then perhaps advise the Governor both at the State level as well as at the district level so long as we are not able to hold elections.

Well, Mr. Chairman, you have already given me more than two minutes. But I may take just another half a minute in regard to Ladakh. I think, we are not being fair to Ladakh. It was my privilege to visit Ladakh earlier this year. It is a beautiful part of our territory and the people are today in great agony because certain promises which were made to them have not been carried out. I think, we should carry out the promise of giving to the people of Ladakh the autonomous Hill Council which was promised, if I

remember, right, by my good friend, Sardar Buta Singh, in his capacity as the Home Minister. This must be done.

One last thing is in regard to the question of income-tax. Since 1962, the people of Ladakh were exempted from the payment of income-tax. But for some unknown reason, since 1988-89, the basic reason for giving them exemption has been totally ignored and income-tax has been imposed on them once again. I strongly urge upon the Government to try and restore the earlier position and give the people of Ladakh a deal which is both fair and just.

16.27 hrs.

SHRI P.C. THOMAS (Muvattupuzha): I rise to support the Resolution moved by hon. Minister. Now it is a sorry state of affairs that we the people of India throughout the length and breadth of our great nation have to sit together without representatives from Kashmir, when we always discuss Kashmir. Now it is a matter of great effort which has been taken up by the Government of India. I am sure, the Government of India has not claimed that what should have been done, all has been done in Kashmir. But, of course, great efforts have been taken to bring back the normalcy in Kashmir. The first thing which we think of is to bring back the political situation, the political process in Kashmir. For that, we all think of bringing political parties together. But is a sorry state of affairs that we cannot even think of political parties which are functioning there in the normal way. I think, it is a matter of extraordinary efforts which the Government of India, especially the Department of Kashmir which has been specially formed for the purpose to take up a this juncture, has been doing.

I may also suggest some kind of conferences which the Government of India can take up along with the representatives of various other bodies like Parliament. I can also think of suggesting that some persons from Kashmir may be brought to Rajya Sabha. With all respect to the Election Commission, it may not be proper to say that there is no Assembly, so we should not bring a representative from Kashmir to the Council of States. But this is also a matter which can be thought of by bringing some representative from Kashmir in the Council of States. I think, it is something that we can do and that will be quite a fairer move.

Another suggestion which I would like to make is to nominate some Members from those areas to represent in Parliament. The other suggestion which has been made in like holding elections in the rural areas for the basic sector like Panchayat or rural bodies where elections could be conducted. I do not think even now the situation is such elections also are possible. But earnest effort must be taken, if not for holding elections to the Assembly, at least to think of holding elections in the rural bodies like Panchayat.

MR. CHAIRMAN: Please conclude.

SHRI P.C. THOMAS: Now, I am finishing. I am not taking the time because very little time has been given to me.

Now, with regard to the attack on the Governor, I am

sure that steps are being taken to fight out insurgency and to see that the efforts of Pakistan in this regard are foiled. But we have to go a long way to see that these efforts of the external agencies like Pakistan are stopped. It is a fact that in Pakistan this is always an election issue. They want this issue to be kept open. This issue is always kept open by all the parties. So, I think, in the international fora, it is for us to go further. Of course, we are going further in this regard. But we have to go further by starting negotiations with others, especially by forging ahead with the Simla Pact which has been the basis on which we are fighting on this very important aspect.

SHRI CHITTA BASU (Barasat): Mr. Chairman, Sir, I know that I am required to speak for two minutes.

Sir, we have got no option other than to support the measure which has been brought in for the consideration of the House, subject to the comments that follow.

Sir, the Kashmir problem is basically a multidimensional problem which, according to me, is a lethal combination of Islamic fundamentalism and Pakistan's political adventurism, coupled with the United States global policy of interference in the sovereign States. Therefore, basically speaking, there are three dimensions. We have to fight the Islamic fundamentalism, we have to fight Pakistan's adventurism and, at the same time, we have to fight against the American global policy of interference.

Sir, my complaint against this Government is that they are not taking a comprehensive view of these dimensions. I can give many instances wherein the Government's witnesses could be exposed, but because of the shortage of time, I do not venture to do that.

Sir, there is need for reviving the political process. But a controversy arises: What we really mean by political process? Does the revival of political process mean an election or does it mean something else also? The revival of political process does not mean an election, which is merely an end product of this process. That may be the ultimate result of the process of political initiative or political process. Unfortunately, some of our leaders in this country think that election is the beginning of a political process. Sir, with all humility, I differ with them. The political process, in the context of Jammu and Kashmir situation, should be to appreciate the grievances of the people of Jammu and Kashmir. The approach to the problem is absolutely an apolitical one, to defend secularism, to defend the unity and integrity of the country and to defend the symbol of Indian secularism as such. Therefore, Sir, it is a question of winning the hearts. It is not a political interest in occupying a particular part of the territory of our country. Therefore, there should be reversal of approach to the problem. The time for the revival of political process is right; there is no doubt about it and I agree with the hon. Home Minister. But elections cannot be held in this abnormal situation. If election is forced, it will be a contrived election and that will go in the interest of our enemies across the borders. So far as this political process is concerned, that must be broad based.

It must not be handled by the present stiff approach or

narrow approach. We have to talk to them. We have to hold a dialogue with them. We have to understand the reality. We have to feel that the people of Kashmir are being constantly alienated from us. Therefore, there should not be simply certain parties, certain personalities to be talked to. The other parties, other personalities and even those who were once in the camp of the militants earlier, have changed their view because of the change of the situation internationally and domestically also. They should also be consulted. Their views are also to be taken in to account. In this connection, we may mention many personalities, as for example, the JKLF. They have abandoned their former position. So far as the other groups like the Jammu and Kashmir League are concerned, they have given up their earlier position, departed from the earlier position of ultra-militancy. What is the harm if we talk to them? Our Government's policy has been that they will hold talks but under a certain condition. The condition should be the unity of the country. The condition should be the approach of fighting those enemies who are putting hurdles in our way of solving the problem. Therefore, there should be a broad-based dialogue and we should accept what comes out as a consensus. The Kashmiris are also patriots as we are. In this case, the most important aspect of the problem should be that secularism is to be guarded, protected and preserved so that India can maintain its present policy in the international arena.

With this I conclude.

[Translation]

SHRI ANNA JOSHI (PUNE): Mr. Chairman, Sir, not delving into the background of this Resolution, I would like to suggest some measures to resolve this problem.

In the Address of the Hon'ble President, little concern has been expressed about Kashmir. Although the elections in Maharashtra on 12th February find a mention in the Address yet there is no mention of the bomb explosions at Maulana Azad Maidan on 26th January. This is an example of the lack of responsibility at P.M. Office.

[English]

MR. CHAIRMAN: You will get a chance to speak about it on the President's Address later but not now. Now we are dealing with another subject.

SHRI ANNA JOSHI: It has appeared in the President's Address and that is why I am saying this.

MR. CHAIRMAN: Have you got any suggestion to offer?

SHRI ANNA JOSHI: I have got a three dimensional suggestion. Just as it is a multi-dimensional problem, so the solution is also multi-dimensional.

[Translation]

It should be made clear to Pakistan that if it continues to interfere in our internal problems, we shall have to adopt stiff measures to counter it. What steps the Government is taking in regard to check the flow of funds

along the Indo-Pak border, stopping training of and assistance to militants and abolishing the camps giving shelter to the militants?

[English]

Either they should be destroyed or the World body should be informed about those camps and they should be asked to direct Pakistan to abolish those camps.

[Translation]

In order to bring the people of Kashmir in the national mainstream, we should make efforts in the direction of economic development. On the one hand, there is Article 370 according to which the person living outside the state cannot contribute in the economic development of that state. On the other hand, we say that the state should be economically developed. I mean to say that if we cannot abolish Article 370, we should evolve an alternative so that the other people and intellectuals could also go there and set up industries. All necessary infrastructure should be made available to them so that they could realise that they are a part of India. There is a need to win their hearts so that a feeling of patriotism is developed in them and they could feel at home. However, no alteration is being paid in this direction.

The Government is thinking of holding elections there. A committee has also been set up for undertaking the work of delimitation of constituencies. About three lakh Kashmiri Pandits have been living outside the state. Similarly, several Laddakhis and muslim Gujjars are also living outside the state. First of all, the Government should rehabilitate them. Their children are knocking at one door after another. The elections should be held only after their rehabilitation. There is also a need to inculcate confidence in them. When lakhs of Kashmiris have left, it is useless to prepare electoral rolls there.

Dr. Farooq Abdullah and Shri Karn Singh issue statements from time to time. In such a situation, we are required to explain the things to the public. Further, the hon. Governor of the state also issues statements. We should be united on the basic issue of Kashmir. Just now, Shri Shahabuddin has said that we should call on all party meeting. We also have some suggestions in regard to Kashmir. We have attachment with the Kashmiris. Whenever a policy is evolved on Kashmir, everybody should be taken together. A programme should be chalked out to implement the policy. The misdeeds of Pakistan should be brought before the world. Today, Mahajirs are being killed in Pakistan. The Government should evolve a scheme to tell the world about the role of Pakistan in Kashmir affairs.

Recently, Atalji had gone to U.N.O. He put forth his views in a very offensive manner. Had he not done so, they would have been in dark. The Government should adopt some measures to deal with Pakistan and raise this issue at world forum. Thus, Pakistan will not dare to raise Kashmir issue at international level again. With these worlds, I support this Resolution.

SHRI PIUS TIRKEY (Alipurduaras): Mr. Chairman,

Sir, my hon. friends who spoke before me have spoken on all the matters relating to Kashmir. Shri Inderjit Gupta and Shri Sye᳚ Shahabuddin have also spoken on these issues. I also support their feelings.

The problem of unemployment is aggravating in Kashmir. You have made a provision of reservation and I would like to know that how many people have been provided reservation in the vacancies in the Government offices? There are so many Kashmiris working in the Government offices in Delhi. You always say that Kashmir is an integral part of India. You only say such things but have done nothing for them. There are so many problems about Kashmir and these problems should be solved through negotiations with the people of all walks of life there. If it is not possible for the representatives of the Government to visit Jammu or they do not have time go there then those people should be called to Delhi for talks. If you so desire, you may take a delegation there comprising the members from all the parties and can discuss the matter with the people of Kashmir and know their feelings. These all steps should have been taken earlier. Pakistan is trying to internationalise this problem and trying to take advantage of the situation by flaring up the communal feelings of the Hindus and Muslims. That is why Muslims are afraid of to show their patriotism and people have doubts about us that we can be traitors and we can demand for another Pakistan or segregate Kashmir from India. In this way our community is being doubted. This problem is not related to any cast or religion. India belongs to all and its policy of secularism is well known to the whole world.

Pakistan has lost 2-3 wars with us. If Pakistan again tries for any misadventure it will get appropriate reply. In future also we should not hesitate to deal heavily with Pakistan, if the need arises to fail the designs of Pakistan. It is improper not to respond to their hostile behaviour and bear it quietly, rather we should adopt a policy of bullet for bullet. The Government has to take a tough stand on it. India is adopting the policy of secularism and fraternity. It is not a policy in regard to language or religion. India belongs to all and having regard to the situation which is prevalent there it is proper to extend the period of President's rule.

16.57 hrs.

(Mr. Speaker in the Chair) It is my suggestion to the hon'ble Minister of Home Affairs to take an all-Party delegation and hold talks with the people there. This process was started earlier also but it was discontinued. We can bring people together by visiting Kashmir and talking to them and listening to their problems and difficulties. In this way we can bring them closer to the mainstream.

With these words I conclude. You don't give us a chance to speak. Please do remember that RSP is also a party and should be given a chance to speak.

[English]

SHRI MANI SHAKAR AIYAR (Mayiladuturai): Mr. Speaker Sir, my friends and colleagues in this debate, have concentrated largely on the Kashmir and Jammu areas of the State of Jammu and Kashmir. I would like to have your permission to concentrate exclusively on questions relating to Ladakh.

Sir, we are very familiar with the problems that have been posed in the areas of Kashmir, in particular and Jammu as well. But perhaps we are not as conscious as we ought to be of the growing dissatisfaction in Ladakh owing to tardiness on our part in implementing agreements that we have already reached with them. The House would recall that on the 27th of October, 1989, that is, over five years ago, a tripartite agreement was negotiated by the Government of India, the Government of Jammu and Kashmir and the Ladakh Buddhist Association, which was to lead to the establishment of an Autonomous Hill Council for the area of Ladakh in exchange for which the Ladakh Buddhist Association which had been spearheading the movement for the separation of Ladakh from the State of Jammu and Kashmir and its reconstitution into a Union Territory was withdrawn. Having arrived at that stage, it turned out that the Government which followed ours in December of 1989 did not follow up the 27th October, 1989 Agreement with the result that it was not until the Congress returned to the Treasury Benches in June, 1991 that the issue of fulfilling the assurances given to the Ladkhis was taken up once more.

Under the guidance of our Home Minister Shri S.B. Chavan an Agreement was reached at negotiations held in Delhi on the 9th and 10th of October, 1993 that an Autonomous Hill Council would be established for Ladakh.

1700 hrs.

Today we are one year and more than four months after the date of that agreement. But the people of Ladakh are no nearer the Autonomous Hill Council today than they were during the period July-October 1989 when they were agitating for Union Territory status. I think all sections of the House would agree that this is less fair to the people of Ladakh. The people of Ladakh have played an exceptionally important role in maintaining the secular character of the State of Jammu and Kashmir and in facing enemies of India both on their eastern flank as well as on their northern flank; they have stood four square with India through all these difficult years and I think it is only fair that they should be given this opportunity of being able to run their affairs in accordance not merely with their demands, but with a solemn agreement entered into by the Congress Party Government twice over—once in October 1989 and again in October 1993.

We have seen in the Darjeeling hills that this acute problem of what was to be the status of the Gorkha people of Darjeeling vis-a-vis the plainsmen of West Bengal, was solved by the invention of this system of a Hill Council for the people of the Darjeeling hills, in consequence of which, I am happy to see that today there is an excellent

relationship between the Chairman of the Darjeeling Gorkha Hill Council and the Chief Minister of West Bengal.

Equally, we have seen in Mizoram that while the insurgency of the Mizos against the Mizoram Government was going on, the people of the minority tribes who lived in the southern part of Mizoram around the area of Siahla felt that they could continue as part of Mizoram by having an Autonomous District Council for themselves.

This technique of an Autonomous District Council is one that is integral to the Constitution of India and it has been used enormously successfully in different parts of the country to defuse what one might call subregional resentment about the majority within any region. It was in the light of that wisdom that we arrived at this tripartite agreement with the Ladakhis in October 1989. The importance and significance of the Autonomous Hill Councils might also be seen from the fact that it was precisely those subjects that were entrusted to the Darjeeling Gorkha Hill Council, the agreement which brought that about which has led to many of the entries which you now find annexed in the Schedule XII of the Constitution relating to the functions, duties and responsibilities of the Panchayati Raj and Nagar Palika institutions.

In the light of this, I have two appeals to make and with that I am concluded. One is an appeal addressed through you to Shri Buta Singh who was then the Home Minister and who has now made a spectacular re-entry into the Union Government. It was under his leadership that the tripartite agreement was signed and therefore, it is incumbent upon him now as a member of the Government of India to ensure that the promises that he made way back in October 1989 are fulfilled at least in February 1995. At the same time I also appeal through you to our present Union Home Minister who accepted the obligations of the October 1989 agreement, gave them concrete shape in October 1993, but is still to provide the Autonomous Hill Council to the Ladakhis, to please make a statement during the course of his reply here itself as to when the Ladakhis might expect to be able to actually exercise the privileges that have been accorded to them in principle for the last five years and more.

SHRI GOVINDA CHANDRA MUNDA (Keonjhar): Hon. Speaker Sir, now I would like to draw the attention of this august House to Jammu and Kashmir issue. I wholeheartedly support this issue. Now we are living in India which is a free country. We are following democracy. But we are not playing like a democracy. We are sometimes allowing some people to tarnish this. I am very sorry for this. We are living in a secular State and if we are living in a secular State, we must play like a secular State.

In India, there are so many people living, representing so many religious faiths.

Now, our population is around 85 crores. But we are not caring for them. We are not feeding them. They are poor people. They are actually believing in Parliament. But I am sorry that we are not giving them a good administration.

Now, what is administration; Administration, in a democracy, means criticism of the Government without fear or favour.

I myself suggest here that we should carry the people in a peaceful bond. We are living in a democratic country. We are independent now. Mr. Speaker, Sir, we should look after the interests of the people. We should keep this House sacred.

You have sometimes deprived us of speaking here. Why should you deprive us?

Now, elections are going on in five States. You have called us here. You have given us summons to come and sit here. How can we sit here? We have to see the people. Unless we see the people, how can they vote? How can they exercise their franchise? Am I correct or not? We are sitting here like foolish people.

We are living with the poor people. I am also a tribal. I am a very poor man.

Thank you, Sir, I am very happy Namaskar.

SHRI MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Mr. Speaker, Sir, I must first express my grateful thanks to all the hon. Members who have participated in the discussions. I do not say that they have supported the Resolution willingly, but grudgingly though they have supported the Resolution. Everyone of us is having a kind of anxiety in his mind that here is a problem which, in fact, is defying all the attempts that the Government has been making, all the attempts which we are collectively making.

I have no objection to the suggestion, which one of the hon. Members, Shri Sahabuddin has made and some others have supported: why not have the meeting of all the parties and try to discuss with them? And why is the Government trying to keep something to itself and not giving full facts to the House? I can well understand their anxiety. But hon. Members should also be able to appreciate the difficulties that the Government also faces. I would request you to bear with us for some time. Thereafter, may be, we will be able to call the meeting of all the main leaders of political parties, and, in an atmosphere of informality, it should be possible for us to discuss at great length and try to find out how best we will be able to find a solution to his problem.

There can be no compromise on the basic character of our polity; there can be no compromise on the sovereignty and the integrity of India. Kashmir is going to be part and parcel of India and there can be no compromise on that issue at all. Let us be very clear about it.

In fact, I had also publicly stated that the Government is prepared to talk to anyone who is prepared to discuss matters with us, though my previous stand was that if we have to concede anything a the stage, might be, that that becomes a starting point for further negotiations in the matter. If we have exhausted more than half the points which we can possibly offer to them, then, of course, after the elections, might be, they will be full of frustration and

say that having given more than half, it is paractically nothing and so, they may feel that we are not offering them anything. That is the kind of fear that I had in mind. But, looking in to the kind of feeling that the hon. Members have expressed here, there is no harm in probing their mind and trying to find out as to what it is and if we can possibly reach some kind of a solution. We will be too happy to do the same. Some of the hon. Members seem to feel that this is a three dimensional approach tr.at they are suggesting; and some other hon. Members — most probably because of their particular backgroud are almost forced to say that we have to speak in the language which Pakistan can understand. I have no doubt about it. I am also prepared to do the same thing, but we must also understand as to what would be the implications if I were to say so. This is not merely between Pakistan and India—this is a misnomer. Neither India nor Pakistan is going to be the beneficiaries of the solution, it is the third party which, in fact, is anxiously waiting to try to complicate the situaiton. Taking advantage of the closeness which some of the party leaders have got, they come closer, try to understand what exactly we are thinking about it, and if it does not suit them, then, they try to create problems and try to see that the solution to the problem becomes almost an impossibility. Are we prepared to to the line which they would like to have?

Let me take this House into confidence. At least I have no doubt in my mind that some of the interested parties can be satisfied only when independence is granted to Jammu and Kashmir. If independence is not granted, they would try to create all the problems that are possible, in spite of the fact that they knew that Pakistan is doing everything. They were on the point of declaring it a terrorist State I have in my possession, a document or a research paper which, in fact, has been published by the Republicans in America in which they have clearly stated that the Democrats are creating problems in India and they are trying to encourage Pakistan to that extent. Pakistan is — this is almost known to everyone-supplying arms, arranging camps, arranging all the weapons and also providing logistic support to them. These are all things which are known to everyone concerned.

Do not think that matters are so simple as that if we give some kind of a threat to them, Pakistan is going to keep quiet about it. Retaliation will not be from Pakistan, Retaliation will be from a different source altogether. I would not like to go into the details of the same. But let me sincerely take the House into confidence that what we are really worried about is the involvement of a number of parties who, in fact, are creating complications in the solution of this problem about which we are worried. We are not so much worried as to what Pakistan is going to do. We have defeated Pakistan so many times and we are capable of defeating Pakistan any time. There is no problem about it in spite of of F-16s and all the rest of it which Pakistan has acquired. At least I have no doubt in my mind. Our security forces are quite capable of dealing with the situation and giving a fitting reply to Pakistan.

But knowing this also, I have to contain my feelings and

try to understand as to how best we will able to find solution to the problem. The first dimension is that we know about the people. According to me, that is the first priority. If we take people into confidence and if the people feel that here is a Government which is prepared to stand by them, Pakistan or no Pakistan, they will always stand by us. At least I have no difficulty on that score. Now the stage has come when we say that there is a qualitative change in the attitude of the people. The people were thinking that this was *jeihad* and for the sake of *jeihad*, whosoever waged the war, they will have to be with them. But they hav now realised that here are people who are perpetrators of the worst kind of crimes. They are committing the crimes, extorting money from the people, raping the women and doing all kinds of things which has made them realise now that this is not *jehad*, this is not a religious war. And when they talk of *jehad*, are they not aware that Kashmir has just three millions of Muslims while India has about fourteen crores of Muslims? In India, we do not make any difference between Indian whether they are Hindus, Muslims, Christians or Parsees. We treat everybody equal. The day we begin making this kind of discrimination between people and people, I am sure, the country will go to dogs and it will be divided into a number of pieces. At least I have no doubt, about it. So, our cornerstone of the entire thing is secularism. We cannot give up secularism at any cost. That is why I said, Pakistan is only interested in this aspect of it. The rest of the people may not be. Pakistan would like to create conditions for the two-nation theory which we never accepted. Now they are almost forcing people of Jammu and Kashmir to accept that two-nation theory. Since they are Muslims, that is why they are claiming that they should come on their side and those who do not speak this language, they consider as their enemies.

One of the hon. Members said that he wanted to have the complete information. Of Course, it will be difficult for me to give the complete information. But prima facie, I can tell you that amongst the militant groups also, at the time of Amarnath Yatra, there was a big section which, if fact, was in favour of having a peaceful Yatra, not to distrub the same and invite all the migrants who had migrated from that area.

But there were some hardcore militants amongst them who did not like the idea and they were totally opposed to the idea of these migrants coming back. No question of any kind of compromise on this issue was the attitude of some of the hardcore militants. But there is no doubt that we have succeeded to a considerable extent. When I say "we have succeeded", that means they themselves have succeeded and not we. They themselves have created a condition in which among the Hurriyats also there are sections who, in fact, are totally opposed to the idea of Hindus not being invited back into the Valley. Now it is only a question of persuading our local people to use their wisdom regarding going back. The only point which, in fact, must be worrying some of the hon. Members is this. Ultimately, what is going to happen to the right of franchise of migrants? Fortunately for us, the

Chief Election Commissioner has issued orders that their names will be taken on the rolls wherever they are, be they in Jammu or in Bombay or in Delhi and they will have the right of franchise. On that score, we need not have any kind of difficulty at all. The only point is some of them have expressed their willingness to go back. There are some people who are inviting them to come to the Valley as their brothers. It is entirely for them to take their own decisions. In fact, we are trying to encourage these elements to go back so that it should give the impression of normalcy in that area. So, our effort is to see that they are being properly encouraged to go to the Valley themselves, see things for themselves, meet their friends there and if they are satisfied themselves that there is no danger involved, and they can go back. That is a matter for them to take a decision. We are always prepared to give the required assistance to them from the Government side so that the idea of some people, to create a rift amongst them and discourage the feeling of brotherhood which in fact existed and is still existing, do not succeed. That is the whole purpose as to why we would like to see that they go back.

A point was raised as to why Government thought in terms of asking for extending the President's rule for four-and-a-half months instead of the usual practice of asking extension for six months. In fact, we feel quite confident that within four and a half months, the way things are happening, there might a change in the hearts of people and it might be that a large number of people might think in terms of having elections in the area. If it succeeds, noting like it. At the same time, let there be no illusion about it. In fact, we ourselves are not prepared to hold elections at the village level and at the grassroot level or the panchayat level. Perhaps holding the panchayat elections is much more difficult than holding elections to Parliament or Assembly. But that is one of the factors. Another reason is the term of four-and-a-half months completes the period of five years, if it has to be beyond five years, then we will have to amend the Constitution. It will definitely have a separate procedure and if that procedure is adopted, I do not find any reason as to why it should not be possible. Let God forbid a thing of that nature. Then certainly, by all means, we will have to again come before the House and request the House to extend President's rule because ultimately, we should have elections in the area in the correct way of keeping the people and the other machinery totally away.

The hon. Member, Shri Shahabuddin I do not know but I hope he has said with good intentions

that 'you won't get the machinery for holding the elections. At least, I have no doubt about it.

In Punjab also similar kind of threat was administered and we could get all the machinery that was necessary for holding the elections in Punjab. there is no reason to believe that a similar kind of a situation does not exist there. There is only the fear of the gun. There is a change in the attitude. But the fear of the gun is there, nobody can deny that. Once that is removed, at least, I do not find any reason as to why the staff for holding the elections will not be available or agents will not be available or people who, in fact, will provide all the security which the local people require, will not be available.

One of the very dangerous suggestions which was made here—I am sure the hon. Members did not mean it was when they said that in the two-thirds of the areas, we can hold elections and for the rest of the Valley we can just keep quite. This is exactly what Pakistan wants and if we fall into this trap, then of course, the solution is an impossibility. I do not think that, even at the cost of dragging on the kind of a situation in which we are, for some time, if it becomes absolutely necessary, we will continue with this kind of a situation but we should not agree for not holding the elections in one particular area and for the rest of the areas we will go ahead with holding of the elections. That will be disastrous, according to me. Of course, it might be that the suggestions which the hon. Member made was not really that serious about following that kind of a line.

Hon. Member, Shri Jaswant Singhji has said that there is no Government recognised at the village level. Yes, it is a fact. It is not new. If it is known and if it is recognised, then the solution is already there. What else you want? At the local level still the local man is with us. But left to himself he cannot come out of the house because of the fear of the gun. If they are really so conscious and so confident that because of the religious feelings and without anything else, they (the people) will definitely come with them do not administer the threat. Allow them to come out and I am sure that everybody will come out. There is no reason as to why they should feel the we are not doing anything in this respect. So, that will be another thing.

In this context—in fact, it will be very unfair on my part not to admit that I have held discussions with the Ladakhi people. When I started the discussion, it was both Leh and Kargil areas and the condition precedent was, you have to lift the social boycott. You have to give land for Buddhist Pagoda in the Kargil area and they have to lift the social boycott.

Both the things were agreed and both the parties have lifted this kind of a ban. That is why we are feeling quite confident that if you have to give the Hill Council for Leh and keep a provision for Kargil because they are under threat, some of the people are threatening them saying that 'if you are to accept this, then you will have to face some kind of a trouble thereafter.' Because of that threat, might be, the people of Kargil are still not that confident but we have provided that whenever the Kargil people want, the same pattern will be applicable in the case of Kargil. So, Leh and Kargil areas are backward areas, there is no question about it. So, if the Hill Council concept is accepted by one and then extended to the other, I do not find any reason as to why we should not be able to do the same. It is now at the last stage of consideration and I am sure that very soon it should be possible for us to find solution to this Ladakh problem.

A point was made about the income tax concessions which they were enjoying so far. For some reason, this concession was withdrawn from that area. The total amount which is being collected is, in fact, not very big. I am sure, I should be able to persuade my colleague the Finance Minister to concede this point. But ultimately, as you know, the Finance Minister too has his limitations and he is bound to preserve every bit that he can. Anyway, let me try and I am certainly going to do my best to see that this concession which was enjoyed by them so far should not be withdrawn, especially at a time when we are trying to win them over. There is no doubt that they are bound to feel frustrated because of the time factor. Much time is definitely gone by and they are feeling rather frustrated. That is why it becomes all the more necessary to consider this aspect as early as possible.

As regards the aspect of development and all other related matters, this, in fact, is one of the factors which could win over the hearts of the people. In fact, a conscious effort has been made and the concerned people have been made responsible for proper accounting. They will have to account for each and every pie which is being spent in Jammu & Kashmir area. A team of officers has been appointed for monitoring the progress, physical as well as financial. If both these things are properly looked after and monitored, I, at least, have no doubt in my mind that they will be able to give a good account of both plan and non-plan expenditure. There has been a departure from the policy that we have been following so far and with that kind of a change in policy, I think the people of Kashmir will be tremendously benefited.

Certain other points were raised by hon. Shri Jaswant Singh. He has asked as to how some of the people were

allowed to attend the meeting of the OIC. In fact, I require some more time to give the information because I have to get all the details which I do not have with me just now. I have to find out as to what exactly are the reasons.

Another point that he has raised is about the security failure at the time of the Jammu bomb blast. I have no doubt in my mind that there should not be any laxity in security matters. Whosoever is responsible for maintaining the security in an area where the VVIP was to address a meeting, they should have taken all the necessary care and see that the whole area is scanned thoroughly and all the security arrangements are properly done. They should not take any chance especially in an area where you can anticipate some kind of trouble. The CBI is making an inquiry into the matter and thereafter it will be possible for us to find out what exactly were the reasons and who were the people who actually failed in their duty. I can assure the House that will be able to take whatever action is called for, depending upon the kind of CBI report that we will be getting.

About the victims of the avalanche, the figures that I have here are not exact, but if my memory has not failed me, about 50 to 60 people were killed and some other people were badly injured in the avalanche.

Mr. Rai wanted some kind of a political package. I have explained our position.

As far as the administration is concerned, there is no doubt that it is rather in a bad shape. But we cannot possibly think of totally scrapping the administration in that area. We have to see that proper correctives are applied so that the administration is not allowed to be used by the militants. After attending to these aspects, I don't think there can be any reason to suspect whether the administration will be amenable for the kind of exercise that they promise to undertake.

Sir, about the violations of human rights committed by the soldiers and paramilitary forces, I do not think we can overlook them. My hon. friend, Major Sawant has suggested this, but with the Human Rights Commission and other human rights organisations world over, we cannot ignore the excesses committed by the paramilitary and armed forces.

Sir, these were the main points which were raised by the hon. Members. I can assure all the hon.

Members that we will try to call a meeting of the leaders of all political parties and with their cooperation it should be possible to find some kind of a workable solution. If we have any reservation, certainly in a meeting of that nature, it will be possible for us to take them into confidence and explain to them our difficulties.

So far as the people of Jammu and Kashmir are concerned, in fact, we have every hope that we should be able to bring about a change as early as possible so that they come to the mainstream and they are able to contribute for the good of the nation. Actually they are part and parcel of India. They have been isolated so far. So, they should get the opportunity of having their own representative in the Parliament as well as having their Legislature. I do not think that the proposition of reviving the old Assembly is going to be a practical proposition. At least I do not subscribe to that point of view at all. Let us not create a make-believe sort of a thing. In fact, they have lost their life. Their tenure is over. To revive that Assembly again will not be taken kindly by the local people. I do not think that we can possibly go ahead with that sort of a thing.

Sir, these were some of the points which were raised and I have tried by best to explain the position as it is obtaining today and thereafter I can only assure the hon. House that at an early opportunity we will call the meeting with all leaders of the Opposition and discuss the matter with them to find out as to how best we should be able to find a solution to this problem. ...*(Interruptions)*

[Translation]

SHRI RAM VILAS PASWAN (Roser): Mr. Speaker, Sir, I would like to give one suggestion. The Hon'ble Minister had given an assurance in July in regard to the Hill Council for Laddakh and he had categorically stated that it is under his active consideration I would request you sir that Laddakh is a peaceful area and people of Laddakh want peace but the question of Hill Council for Laddakh repeatedly...*(Interruptions)*...

[English]

MR. SPEAKER: This point has already been made by other Members.

[Translation]

SHRI RAM VILAS PASWAN: He has also given the reply but he has stated that it is under consideration. I would request you, sir, that please take the final decision as early as possible, Six months before also you had said that it is under consideration and still you are saying so.

MR. SPEAKER: The question is:

"That this House approves the continuance in force of the Proclamation dated the 18th July, 1990 in

respect of Jammu and Kashmir, issued under Article 356 of the Constitution by the President, for a further period beyond 2nd March, 1995 till 17th July, 1995."

The motion was adopted.

17.37 hrs.

SPECIAL PROTECTION GROUP (AMENDMENT) BILL

Amendments made by Rajya Sabha

MR. SPEAKER: Hon. Minister of Home Affairs has written to me saying that there is a small amendment which has to be done. It seems everybody agrees.

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): Sir, if the hon. Members give me the indulgence, there are three amendments that the Rajya Sabha has passed. One was about the 1994 amendment to the SPA Act. Now this is the fifth year and that is why it will be necessary to make allowance for that and second will be the repeal of the Ordinance which we had issued. These are the two main things.

I beg to move:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Special Protection Group (Amendment) Act, 1988 be taken into consideration."

"Enacting Formula

That at page 1, line 1 for the word "Forty-fifth" the word "Forty-sixth" be substituted. (1)

Clause-1—Short Title and Commencement

That at page 1, line 4, for the figure "1994" the figure "1995" be substituted. (2)

Clause-3—Repeal and Saving

That at page 1, for lines 10 and 11, the following be substituted namely:—

Ord. 1 of 1995 "3. (1) The Special Protection Group (Amendment) Ordinance, 1995 is hereby repealed" (3)

MR. SPEAKER: The question is:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Special Protection (Amendment) Bill be taken into consideration"

"Enacting Formula

That at page 1, line 1 for the word "Forty-fifth" the word "Forty-sixth" be substituted. (1)

Clause 1—Short Title and Commencement

That at page 1, line 4, for the figure "1994" the figure "1995" be substituted. (2)

* Moved with the Recommendation of the President.