

Demands for Grants in respect of Ministry of Industry for the years 1991-92 voted

No. of Demand	Name of Demand	Amount of Demand for Grant on Account voted by the House on 29th July, 1991		Amount of Demand for Grant by the House	
		Revenue	Capital	Revenue	Capital
		Rs.	Rs.	Rs.	Rs.
1	2	3		4	
Ministry of Industry					
51	Department of Industrial De- velopment	73,47,00,000	6,00,000	73,48,00,000	6,00,000
52	Department of Heavy Industry	15,05,00,000	137,72,00,000	15,05,00,000	137,72,00,000
53	Department of Public Enterprises	71,00,000		70,00,000	
54	Department of Small Scale in- dustries & Agro and Rural In- dustries	157,74,00,000	141,43,00,000	157,74,00,000	141,43,00,000

14.57 hrs.

**STATUTORY RESOLUTION RE:
APPROVAL OF CONTINUANCE
IN FORCE OF THE PROCLAMA-
TION IN RESPECT OF JAMMU &
KASHMIR**

[English]

THE MINISTER OF HOME AF-
FAIRS (SHRI S. B. CHAVAN): I
beg to move:

"That this House approves the con-
tinuance in force of the Proclama-
tion dated the 18th July, 1990 in
respect of Jammu and Kashmir,
issued under article 356 of the
Constitution by the President, for
a further period of six months
with effect from the 3rd Septem-
ber, 1991."

As the House is aware, in view of
the then prevailing situation in Jammu

and Kashmir, a Proclamation under
article 356 of the Constitution in rela-
tion to the State of Jammu & Kashmir
was issued by the President on the
18th July, 1990 on the recommenda-
tion of the Governor. Earlier, on
19-1-1990 the Governor, Jammu &
Kashmir, assumed to himself the
powers of the State Executive and
Legislature placing the Legislative As-
sembly of the State under suspension
under the provisions of section 92 of
the Constitution of Jammu & Kash-
mir. A month later, on 19-2-1990, the
State Assembly was dissolved by the
Governor in exercise of his powers
under the State Constitution.

As the law and order and security
situation in the State of Jammu & Ka-
shmir continued to be disturbed, app-
roval of both the Houses of Parlia-
ment was obtained for continuance in
force of the Proclamation dated 18th

14.59 hrs.

[MR. DEPUTY SPEAKER *in the*
Chair]

July, 1990 in relation to the State of Jammu & Kashmir for a further period of six months with effect from 3rd March, 1991. The current spell of President's rule in Jammu & Kashmir will expire on 2-9-1991.

The Governor of Jammu & Kashmir in his report dated 22nd July, 1991 addressed to the President of India has reported that the current security and political situation is such as would not permit carrying on the Government of the State in accordance with the provisions of the Constitution when the Proclamation currently in force expires on 2nd September, 1991. The Governor has informed that though the security forces have largely contained the situation on the ground by maintaining sustained pressure on subversive and secessionist elements and have achieved notable successes in accounting for a large number of militants including several top leaders in and 'area commanders' belonging to various militant organisations and in recovering huge quantities of arms and ammunition, the security situation remains difficult. A few thousand trained militants are active in the Kashmir valley with large number of arms, ammunition and explosives available to them and a few thousand are known to be waiting across the line of control. The agencies across the border have been trying to infiltrate as many of the trained Kashmiri youth as possible in a determined bid to escalate militant activities in the valley during the summer and autumn months before the passes become snow bound in the winter season and imparting more intensive training to them in sophisticated arms and also in guerrilla warfare and wireless communications.

15.00 hrs.

The Governor has further reported that there has been a change in the mood of the people and also in the

thinking among sections of the militants due to the growing realisation that secessionist objectives are not going to be achieved through armed violence and an increasing disenchantment with Pakistan for having used them for its own ends. The Governor has also reported that over 450 Pakistan trained militants surrendered with arms during the last 8 months. However, the people hesitate to come out openly against the militants because of the persisting fear of the gun.

The Governor has also reported that the change in the mood of the people, however, could also not get direction and momentum because of continuing political vacuum in the Valley with hardly any meaningful activity by leaders and cadres of mainstream political parties.

The Governor has summed up by saying that the situation remains grim and challenging. The terrorists have considerable capability to strike at the security forces and other targets. Of late, the terrorists have started striking at soft targets which had been left alone earlier as illustrated by the abduction of two Swedish engineers, the abduction and attack on a group of Israeli tourists and the kidnapping of IOC Executive Director, Shri K. Doraiswamy. The Governor is of the view that it is essential to maintain sustained pressure on the militants.

The Governor has further reported that restoration of political process leading to elections is not feasible in the near future. Further, the Delimitation Commission set up after 1981 census has yet to complete the work of fresh delimitation of constituencies. This work is likely to take a few more months.

In view of the just mentioned circumstances, the Governor has recommended that President's Rule in the State may be extended for a further period of six months with effect from 3-9-1991.

[Sh. S. B. Chavan]

According to the provisions of article 356 of the Constitution of India, as applicable to the State of Jammu and Kashmir the President's Proclamation under article 356 may continue in the State for three years subject to six monthly approval of both Houses of Parliament.

Keeping in view the situation prevailing in the State and taking all the relevant factors into consideration, there seems to be no alternative but to continue the President's Proclamation dated 18-7-1990. It is, therefore, proposed that the President's Rule in Jammu & Kashmir may be continued for a further period of six months with effect from 3-9-1991.

In view of the position explained, I solicit the approval of this august House to the Resolution.

MR. DEPUTY SPEAKER: Motion moved.

"That this House approves the continuance in force of the Proclamation dated the 18th July, 1990 in respect of Jammu and Kashmir, issued under article 356 of the Constitution by the President, for a further period of six months with effect from the 3rd September, 1991".

SHRI GEORGE FERNANDES (Muzaffarpur): Sir, I beg to move:

"That in the resolution,

for 'six months' substitute
'three months'. (1)

[Translation]

PROF. PREM DHUMAL (Hamirpur): Mr. Deputy Speaker, Sir, I rise to express my views on the resolution moved by the Central Government to extend the President's Rule for another six months in Jammu-Kashmir.

Sir, everytime when such a resolution is brought in the House, it is said by the Central Government that the situation would improve during the six months and the period of the Pre-

sident's rule would not be extended any further. It is obvious from the report received from Jammu-Kashmir that anti-national forces are much more active there than before. The patriotic persons have been forced to flee from Kashmir valley. The Government could not provide them security there. So they have fled to Delhi and other cities of the country leaving behind their houses and properties. But Government adopted same neglecting attitude towards them. But when the persons migrated from Kashmir to Delhi, staged a Dharna in support of their demands, they were lathi-charged. What was their fault after all? Their fault is only that they consider the merger of Kashmir with India as final. They do not support terrorist forces there. That is why they have been displaced from there. There, the militants threaten them and here in Delhi the police resort to lathi-charge on them.

A newspaper report has published yesterday wherein inaction of our Government to counter the propaganda of Pakistan has been highlighted. Pakistan is making propaganda against our country in foreign countries also. In Kashmir valley also such cassettes are being shown in which the jawans of Indian army have been shown committing atrocities on women and children there. Those are all fake cassettes. I would give an example in this regard. In one such cassette an Indian Jawan is finding it difficult to mend his gun. And then there comes a child who helps him in it. The Radio and Television of Pakistan are making propaganda against us on a large scale but we are doing nothing through our electronic media. It is clearly said that our Radio news room is in Jammu and doordarshan news are broadcast from here. When no one accepts your authority there and you cannot provide security to the patriotic persons there, then why will they remain with you. Thousands of the militants intrude into our country after getting training in foreign countries. Last time when I raised

their issue, in the House then the Home Minister had asked for full information in that regard. I do not understand as to what for is C.I.D. there? Is it not true that many Government officials had gone to Pakistan for training and during that period they continued to receive their salaries? Did the C.I.D. not give any report to you? Is it not true that many officers still support those terrorists? Why do you hesitate in taking action against them when you have got report, and you can well identify those who are supporting anti-national forces. In your administration as well as in police there are some persons who support the terrorist forces. But you have your own criteria to define such things. When the men of National Conference are prepared to follow you, you call them patriots. Farooq Abdullah was a patriot as long as there was an understanding and agreement between him and you. But he became a traitor at the very moment, you joined hands with Gul Mohamad alongwith some members and formed Government with the support of Congress. Those people who were patriots till yesterday became traitor all of a sudden? Now once again Shri Farooq Abdullah has become patriot in your eyes. So, it will be harmful for the country if the Government takes decisions keeping its party's interests above the national interests. This sort of thing is detrimental to the country's interests.

Today, you want to hold a talk once again. But with whom? What political forces are there to talk to? You know well as to how the last elections were conducted there. The Governor in an interview has said that they propose to initiate a political process there. So would you like to take this House into confidence about the political process you are going to start and also about the efforts you are making to involve the people politically in finding the solution to that problem before taking approval of the House for extending the period of the President's rule there?

Whenever Punjab and Kashmir problems have come up for discussion in the House we have tried to emphasis one thing and I would like to remind you once again that do take political steps alongwith administrative steps. Make electronic media more active. You have your own Radio and television stations there, so you should arrange for giving good programmes to counter the propagandas being made by the Pakistan electronic media. A news item has recently appeared in the press reporting about a quarrel in jail of Jammu. The terrorists imprisoned in jail wanted to watch a serial on Pakistan television whereas the other prisoners wanted to see an Indian television programme. Why are your programmes not so good that they are liked by people of Jammu and Kashmir also. It will also not do if you doubt each and every one there. Our army and para-military forces are working there in very adverse conditions. Their behaviour with the general public depends much on the intensity of danger there.

We have got information through our patriotic partymen that thousands of well-trained terrorists equipped with weapons are infiltrating into the country. How will you check them? Have you made any action plan for that purpose? You cannot solve the Kashmir problem by increasing the term of President's Rule by another six months. You will have to make an action-plan under which on one side you should take stern action against the officers, howsoever big he may be, for associating with terrorists and on the other you do honour those who are patriots. The persons who are fighting at the risk of their life and property against the militants should feel that the Government of India is with them.

I would like to say one thing more. The Bhartiya Janata Party is the only party which has been making the demand from the very beginning that Article 370 should be abolished. We know that you as well as our other

[Prof. Prem Dhupal]

friends will not agree to this demand today for certain political reasons. I would like to say that unless Article 370 is done away with the problem of Jammu-Kashmir cannot be solved. You yourself justify the Article 370 when you say that Kashmir has a different culture which should be preserved. Then, let us know which province of the country, does not have its own culture and which has not been preserved and protected in the absence of Article 370. So in this way we give ourselves a hint to them, a signal to them that they are special people, that they are different from us and they have not been fully merged with us, that is why we have Article 370 for them. I urge upon the Government to look at in the national perspective. At present, the situation of Jammu and Kashmir, is deteriorating day by day. During the Winter season last year, it was felt that the passes through which terrorists were sneaking had closed because of snowfall and we had a little hope that the terrorists will not intrude any more. That time, there was a period of a few months at your disposal, and you could have adopted such an attitude towards the terrorists who were here so that they could have changed their mind. Or they could have been subdued by force, but it could not be done. Snow began to melt and the number of extremists also began to increase and militants started pouring in. Now-a-days the number of such people is increasing day in and day out.

I want to tell you one thing that is agonising me. A short while ago, a Bill was presented in the House. We, Indians are being divided into two categories. Under one category, there are citizens for whom you will provide special facilities, for whom you can do anything and the second category comprises of the people whose lives have got no value at all. We are happy that you have got released Dgraisamy and prior to that former Home Minister's daughter who was also kidnapped, was released. May I know

at what cost they were released? Is it that the life of Shri Khera of H.M.T. had no value for the Government? Is it so, that the life of the Vice Chancellor of (Srinagar) Kashmir University who was killed had no significance for the Government? Many of our party workers have been assassinated there. Taploo was a great leader of Kashmir...*(Interruptions)*...Please listen. If you do not follow Hindi, you may please use the earphone...*(Interruptions)*...It shall have to be decided who are the people, who are the citizens who can be released from the extremists and who are the people who may be allowed to die. The question is that the life of an ordinary citizen of India costs less and the cost of any person the Government likes can be more. Was only a single person kidnapped?

[*English*]

I would like the Government to clarify on this issue and lay down certain guidelines. Let us know who are the persons for whom you are ready to sacrifice any number of people, for whom you will set free a number of terrorists, and there are other persons who can be sacrificed like goats and you don't bother. This is what I want to say.

[*Translation*]

Why is it so? If any Indian is kidnapped do you have the same feeling for him as for others? Why have we become selective? I would like to emphasize that the Government to make its policy clear about. A discussion was already held in the 9th Lak Sabha about the people who have been uprooted from there and have migrated to this place. You people were sitting on the opposition benches and we were supporting the National Front Government. Even at that time there were many senior leaders of yours who are not present in the Lok Sabha at present. They had said—the migrants of Jammu and Kashmir may be sent back and accommodated in tents. Later on I got the opportunity to speak. I had said that the Government

could not be able to provide security to them even in concrete houses, how could it provide security to Kashmiri migrants living in tents. That is why I would like to tell the hon. Home Minister if they get the impression that the Government does not bother at all for them who fight for the interest of the Country and are uprooted from their native places only because of their national feeling the Government one day will find itself isolated. It is immaterial whether these people belong to Kashmir or Punjab and are killed either in Punjab or in Kashmir. Nationalists will continue to work in the interest of the country only till the time they will have a faith on the Government that if there are some excesses committed on them, the Government in Delhi will stand by them and do justice for them. But if they will start feeling that there is none to bother for them, and if they go to the valley and the extremists will kill them and when they come to Delhi, the brave and bold police which does not provide security to anybody, will lathicharge on them and can kill them also, the nationalist forces will definitely step back and when the people will not support the Government, no Government can stand for long, be it any Government. You have already seen this fact in Russia, when people came out on the roads, such a so called big revolution proved a failure. When there is public participation, every step taken by the Government would definitely prove successful. The Government should especially try to gain the confidence of the people of Jammu and Kashmir, they should be assured that they are fighting for the country, and the Government will stand by them in all the odd circumstances. Even now, there are so many people in Jammu and Kashmir who are in majority but they are silent, because the Government does not provide them sufficient security. They are afraid of terrorists, so they are silent.

Mr. Deputy Speaker, Sir, there is no alternative left with you except the

extension of President's Rule for six months more. Therefore, my party supports this Bill for the extension of President's Rule there for six months more. All the same, I would like to say that perhaps the Congress Party would still be manoeuvring for securing maximum number of posts of Ministers if the State Assembly is to be revived. Please try to rise above the party politics, and party interest should not override the national interest. Please try to frame the policies in the national interest, then alone the problem of Jammu and Kashmir can be solved.

With these words, I conclude my speech while thanking you.

[*English*]

MR. DEPUTY SPEAKER: I wish to bring it to the notice of the House that the time allotted for this discussion is one hour and 30 minutes. In this, the Congress Party gets 36 minutes, BJP gets 19 minutes, Janata Dal gets 9 minutes, CPI(M) gets six minutes, CPI gets two minutes, TDP gets two minutes, AIADMK gets 2 minutes, JMM gets one minute and Janata Party gets one minute. Then, the smaller parties would be accommodated, if they also want to participate in the debate. This is for your kind information.

SHRI DIGVIJAYA SINGH (Rajgarh): Mr. Deputy Speaker, Sir, I rise to support the resolution moved by the hon. Home Minister. The Kashmir valley is extremely sensitive and the political forces, unfortunately in that valley have either been totally isolated or they have simply left the valley leaving the Kashmir Muslims and the para-military forces or the Army to tackle each other in their own manner which they deem fit. This is the most unfortunate part of the situation today and until and unless some political process is initiated by the Government of India, I see no ray of light in the near future. Though there were some militant activities, the 1989 tourist season attrac-

[Sh. Digvijaya Singh]

ted the highest number of tourists to the valley. This is a matter of record and no one can deny it. But within one-and-a-half years, things have come to such a state that the valley has been totally devoid of tourists and the only industry which the valley had, had been taken away from the Kashmiris. The then elected Government of that State headed by Shri Farooq Abdullah was tackling the militant activities in the valley. I do not know how seriously and how effectively they were doing it, but, at least there was an elected Government in the valley which was acting as a buffer between the Government of India and the people of Kashmir. Unfortunately, the then Prime Minister Shri V. P. Singh, under the obvious pressure of our friends from the BJP, much to the annoyance of the then Chief Minister and in spite of his pleadings, thought it wise to appoint Shri Jagmohan as the Governor of Jammu and Kashmir.

The message that went in the valley was that the Government of India wants to take the only course of confrontation with the people of Kashmir and thereby the Kashmiri Muslims, even moderate Kashmiri Muslims who were supporting the fight of the Farooq Abdullah in the National Conference against the militants, themselves felt isolated resulting in a total isolation of the Kashmiri Muslims from the Government of India.

Although some efforts were made when Mr. George Fernandes was appointed the Minister for Kashmir but, then, the responsibilities were not demarcated as they should have been and the then Home Minister Mr. Mufti Mohammad Sayeed who has his own way of tackling the problem, who has his own vested interest involved in that Valley—I would go to the extent of saying they did not allow Mr. George Fernandes to function as an effective Minister for Jammu and Kashmir—with the result that that effort to initiate the political process again failed. Mr. Rajiv Gandhi, as leader of opposition himself went to Srinagar along

with Mr. George Fernandes and he went to see that all possible cooperation was extended to the Government then. But unfortunately that process also did not get very far.

There is no doubt, under the present circumstances, our armed forces are doing a very effective job in a no win situation.

We have the para-military forces, the CRPF and the BSF in the Valley. But unfortunately I am very sorry to say that there are innumerable complaints of corruption and of torture by these para-military forces in the Valley. There are a number of complaints where people have been arrested, where moderates have been arrested and money extracted out of them under TADA. This must be enquired into. I am not saying that all complaints are correct but the complaints which have come to hon. Minister, through our own people in the Valley must be enquired into and the hon. Minister must visit Kashmir Valley or his representative, the Governor should be asked to initiate the political process and he should be specifically asked to enquire into all such complaints where women, children and innocent people have been either tortured or have been unnecessarily harassed.

The local administration in the higher echelons in the Secretariat is totally devoid of the Kashmiri Muslims or Kashmiri Hindus' involvement. Most of the Officers there in the senior hierarchy have no connection whatsoever with Jammu and Kashmir.

There are a number of senior officers, a number of officials, in the Jammu and Kashmir cadre. Their services must be taken and they must be taken into confidence. You cannot, by a single stroke, label all Jammu and Kashmir Hindus and Muslims, to be in hand and league with the militants. There are responsible people who should be taken into confidence.

It is unfortunate that hardly any Secretary to the Government, hardly any Head of the Department in Jammu and Kashmir, belongs to Jammu and Kashmir.

Until and unless you take these people into confidence, how can you win over the Kashmiri sentiments and how can you win over the ethnic Jammu and Kashmir people? This is of utmost importance.

The historical background leading to a situation today in Jammu and Kashmir cannot be ignored. We must remember that the Jammu and Kashmir itself could be easily divided into three parts: the Hindu dominating Jammu, the Buddhist dominated Leh and the Muslim dominated Valley. It was a compact unit because of the earlier historical reasons. But when the Maharaja of Kashmir decided to merge his erstwhile State into the Indian Union, the Kashmir Muslims could very well have thrown their lot with the Islamic Republic of Pakistan. But, Sir, they did not do so. This must be at the back of our minds when we think of the Kashmir problem. How did those people of Kashmir Valley, who constituted 95 per cent Muslims not go with the Islamic Republic of Pakistan? In fact, they welcomed the Indian forces which went to their rescue. This is the crux of the matter which must not be ignored.

Sir, the ethnic Kashmiri Muslims have more association with the people of India than with the people of Pakistan because of historical reasons. There are a number of instances. The Sanskrit Centre of Learning was in Kashmir. Rajtarangini, which is one of the oldest documents we have with us in this country today, was written by a Kashmiri Brahmin. Therefore, all these factors cannot be ignored. If you want to rule Kashmir, you cannot ignore the sentiments of the Kashmiris. It is unfortunate

that the BJP is obsessed with Article 370 of the Constitution. You must realise under what circumstances Article 370 was brought in when we framed our Constitution. We must realise what was the political situation in our country then. It goes to the credit of Pandit Jawaharlal Nehru who won over the sentiments of the Kashmiri Muslims. (*Interruptions*)

Please allow me to speak. I did not interrupt when you were speaking. I am prepared to take you on, on this issue any time. I am not yielding. (*Interruptions*)

MR. DEPUTY SPEAKER: The understanding is that suppose the speaker were to yield, then anybody can put any question or ask for clarification. If he does not yield, then you cannot interrupt him.

SHRI DIGVIJAYA SINGH: The BJP is obsessed with Article 370 of the Constitution and by their utterances, they are unnecessarily alienating the Kashmiri Muslims. They must realise that the only link which the Kashmiri Muslims have with this country today is because of the protection that we have given to them under Article 370. The people of Kashmir have got the right to have Article 370 withdrawn. The Government of India does not have to play a part into that. It is the one Article in their Constitution about which the Government of India doesn't have to come before this Parliament for withdrawal etc. Simply, the elected Assembly of Kashmir is to pass a Resolution and the Article 370 can be withdrawn by a Presidential Proclamation. Everytime the Muslim-baiting BJP comes out with a statement against the Muslims, everytime you label them as anti-nationals, you are furthering the cause of Pakistan. You are throwing the Kashmiri Muslims into the lap of Pakistan. You must realise this fact.

[Translation]

KUMARI UMA BHARTI (Khajura): You do not realise the feelings of the people of Kashmir.

SHRI DIGVIJAYA SINGH: Uma Bhartiji, I will let you know whenever we will sit and discuss it.

KUMARI UMA BHARTI: I will also let you know.

[English]

SHRI DIGVIJAYA SINGH: Sir, everytime the BJP raises the issue of Temple and Mosque, they are again throwing the Muslims a few notches back into Pakistan's lap. I would request my friends on the BJP side that they must act with compassion. They must act with a little thinking. They cannot be devoid of thinking. They must realise under what historical compulsions Article 370 was brought in. What will happen if Article 370 is withdrawn is that the only link which the Kashmir Valley has with the Government of India and with the people of India, would be snapped. You will be snapping that link. Sir, we cannot ignore the global happenings in this world today, in this fast changing world today. The Baltic States have declared themselves independent. In Europe, Yugoslavia is having problems. So, there is need to take a bold initiative. I would urge upon the Home Minister to take a bold initiative. Some kind of a solution has to be found and also some points have to be seen whether they could be brought about within the wider Indian Constitution and also see whether more powers could be given to the State of Kashmir or to other States in this country. This fragmentation process, which has started all over the world must be taken into account and we cannot be away from the real happenings which are taking place all over the world today.

We must realise the compulsions under which we are working, the parameters under which we are working and then only we can find a solution to the problem of Kashmir. Therefore, I urge upon the hon. Home Minister to take a bold initiative, talk to the people, the moderates who are willing to talk to the Government of India. I urge upon the Home Minister to release all the political detainees who had no hands in the violence. I urge upon the Home Minister to talk to the people of Kashmir and involve more people of Kashmir in the administration process. Then only we can think and consider the solution of Kashmir problem.

With that, I conclude. Thank you.

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Chairman, Sir, we are dealing with a very sensitive subject and during the last few weeks, we have debated the situation in Kashmir a number of times. I find that according to the Home Minister's statement, the security situation largely remains unchanged. It seems that it is not the writ of the Government but the writ of the terrorists, the militants, the secessionists and the infiltrators, that runs in the Valley. We have been told that there is a political vacuum. That is to say, the situation has not changed for the better. It has been changing for the worse.

During this period, we have heard a number of statements from the Home Minister himself, very pious statements of intention, very noble statement that guns shall not solve the problem. But I am afraid, the guns have been speaking louder than the words. And the structure of black laws that we installed in place,

remains in tact. And even the Governor Shri Saxena has been forced to admit that atrocities continue to be committed and that they cause a set back. We have many reports about corruption being rampant. In fact, people are detained and tortured, perhaps, in many cases, in order to make some monetary gains. And, therefore, I find it is not surprising that the situation in Kashmir is not changing in the direction we hope it would. There is no change of guards; there is no change of methods; there is no change of approach, and there is no change of administrative style.

The Home Minister will pardon my saying that it almost smacks of a colonial style. And, therefore, it is not surprising, Mr. Chairman, that there is no change in the alienation of the people, in the frustration and disappointment of the people, in the tension and fear that racks the valley and the violence that is rampant. And that is why, we find ourselves in a no-win-and no-hope situation. The Government, from time to time, for record, brings it out that they are thinking of initiating the political process. We hear sometimes or read sometimes about the Assembly being sought to be revived. How can a dead body be brought back to life? I cannot understand. How can a dead body, seated in a chair, run the country or run the State? That also, I cannot understand.

We are told, sometimes it hinted, that a discredited politician, who left the valley to its own devices and ran away, when he was most needed, is sought to be installed, if not as Chief Minister, as the Governor with a new set of Advisors. I say this will not work. This will not change the situation. This will not satisfy the people of Kashmir. This will not amount to revival of political process. And sometimes we hear about popular committees being installed. In fact, the President told us so. But that too, now nearly more than a month and a

half have elapsed and we do not even know about the composition of the Committees, who shall be on them; what purpose they shall serve; what function they shall perform. There seems to be complete bankruptcy of ideas. It seems as if the Government is totally confused. Only sometime back, we heard the hon. Prime Minister, preaching the gospel of pragmatism. But there seems to be no sign of pragmatism about Kashmir. Ah! I see is a sign of confusion. Sometimes, Government speaks of building a national consensus. I can understand their compulsions. Not only because they are a minority Government but, because Kashmir is a sensitive subject. And any Government, whether a majority or a minority Government, has to take the country along. On a question, like Kashmir, the nation has to act with one mind and one heart. But again, I see total inaction. We proposed, time and time again on the floor of this House, let there be a meeting of political parties. I do not know why the Government shirks from calling for a meeting of the political parties to discuss this question. They have been talking about it. Why do they not interpose between the administration that distrusts the people and the people who distrust the administration? a layer of say ex-M.P.s or eminent persons of Kashmir, who can act as cushion as an interlocutor Viable who can interpret one to the other. There is no movement at all. Therefore, but for making a statement of good intention or speaking of national consensus or repeating the old ripe phrases of reviving the political process or reviving the democratic process, we see no sign of rethinking in the Government. The Government also speaks of negotiations within the framework of the Constitution. That is welcome. But, has the Government done its home work? Has the Government made up its mind as to what it can offer? Is there any thinking about what needs to be done about Kashmir in the long term? Does the Government have any fresh vision on Kashmir? Because, the old is past and dead. The old cannot be

[Sh. Syed Shahabuddin]

revived. Therefore, some new thinking is necessary and I do not see any sign at all of the Government applying its mind to working out a constitutional set up, a legal frame work under the sovereignty of India, within the frame work of our Constitution, which would go some distance at least, to satisfy the aspirations and interests of the people of the Kashmir valley. Sir, these three months or six months will not make any change. Months will lengthen into years and we shall be sinking deeper and deeper in this quagmire of violence of tensions from where we can hardly retrieve ourselves. We shall be wasting our energies, we shall be sapping our strength without achieving any durable results.

The Government have brought this Resolution at a time when we really have no option. We have to give them some time; otherwise there shall be a constitutional vacuum with effect from 3rd September. Whether it is three months or six months, I am afraid, we are nowhere near a solution. Unless we make a sincere efforts to regain the glorious period when the Kashmiri people had stood by us to defend the valley against the raiders, there will be no solution to this problem. We have to win the mind and heart of the people of Kashmir. We cannot just rule over their prostrate bodies—dead or alive. We shall be happy to give the Home Minister even six months if he wants it; but will he assure us that after six months or during these six months he will do his homework, build up a national consensus for a workable solution in order to bring peace to the valley, in order to quench the fire that is steadily consuming all of us?

With these words, I stand here to criticise the inadequate approach of the Government, the inadequate response of the Government to the situation in the valley and I hope the Home Minister shall enlighten the House about what he has in mind, what he

wants to do during these six months in order to win the hearts and minds of the people of Kashmir.

DR. SUDHIR ROY (Burdwan): Mr. Deputy Speaker Sir, the situation is very grim and it is deteriorating to the worse. Already Pakistan has raised a war cry that it would help the terrorists by all possible means.

This Government has assumed power nearly two months back and already Kashmir problem has been discussed twice in this august House. I see no initiative on the part of the Government. At least the National Front Government appointed an all-Party committee. The members of that all-Party committee visited Kashmir; they talked to the different people, realised the situation and then they rendered advice to the Government. But from this Government we do not see any initiative. We are only taking recourse to old methods; that is showing the muscle. But people cannot be cowed down only by muscle power.

We should remember the past history. We know that Maharaja Hari Singh tried to declare Kashmir an independent kingdom. His Prime Minister Mr. Ramchandra Kak was his great accomplice. But Pakistan raided the Kashmir valley and the people of Kashmir under the heroic leadership of Sheikh Abdullah wanted to join India. Why did they join India? It is because India declared herself a secular State. That is why Article 370 was inserted in the Constitution. Kashmir wants to retain her identity. Today in the world we actually find in all federal set up the units want more power, more autonomy. Therefore I do not understand the hullabaloo over the deletion of Article 370. We know that in the North Eastern States, in Nagaland, Meghalaya, Mizoram, there are many provisions such as inner line permits, etc. similar to that of Article 370. Then why this outcry over Article 370? It is Article 370 that has helped

the people of Kashmir to remain with us. The people of Kashmir, who are 85% Muslims are with us.

They realise that Kashmir would get justice within India. Therefore, I would urge upon the Government to hold a dialogue with different political parties. They must appoint a committee to understand the real problems of Kashmir. Only by gun or only by draconian laws, the problems of Kashmir cannot be solved.

Not only this, I would also like to say that the area of insurgency should be limited, as far as possible, because Jammu and Ladakh are, more or less, peaceful. Therefore, political processes should be started in those two regions. There may be advisory councils. The Government should start talking to various political or regional parties.

Now I would like to mention about the Kashmiri refugees who have come out of the Valley. I want an assurance from the Government that these migrants would be helped by all possible means so that one day or the other, they might return to the Valley.

I request the Government to give an assurance to the HMT employees that agreements with them would be honoured. They are not getting their full pay. Therefore, those employees should be given full pay for their work.

I would also like to say that our propaganda machinery is very weak. I heard that in Kashmir, the All India Radio suspended its activities. I want to know whether those activities have been started or not. Not only this, the other day, one Labour Party MP visited Kashmir. He made some adverse comments which went against India. This shows that India's propaganda machinery is not adequate. It must be upgraded and it should also be adequate.

MR. DEPUTY SPEAKER: Please conclude.

SHRI SUDHIR ROY: With these words, I conclude.

MR. DEPUTY SPEAKER: This is very much appreciated.

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Deputy Speaker, Sir, it is not the matter of pleasure if we go on postponing the elections in J & K time and again, but keeping in view the condition prevailing there, no other alternative is left with us.

One thing, I would definitely say, that Pakistan is taking advantage of the time and is getting success by putting the Kashmir problem in its own way before the world. For example, Pakistan is trying to internationalise the Kashmir problem by taking it up in forums like Islamic Conference or Sub Commission of the United Nations and the Prime Minister of Pakistan is changing his idiom. The Prime Minister of Pakistan is achieving complete success in his objective. But the Government has failed to utilise the time properly; we have not yet decided our policy and direction towards the solution of the Kashmir problem. With the result we are facing losses because of our actions. I will give you just two examples. As I told earlier also, census was conducted throughout the country except the State of Jammu and Kashmir. Just the day before yesterday, a bill regarding the Religious Places was introduced. It is clearly written in this Bill that it won't be applicable to the State of Jammu and Kashmir. Mr. Deputy Speaker, Sir, such actions of the Government give a clear signal to Pakistan that when India is not willing to apply the Act on Jammu and Kashmir, and when it is not interested in conducting census there, it obviously means that Kashmir is not a part of India. I mean to say that we should formulate a concrete policy in

[Sh. Madan Lal Khurana]

respect of Kashmir and consider it as a problem of national concern. We should not merely try to draw political mileage out of it. I do not want to repeat what is happening in Kashmir today. There is no authority of Government of India in Kashmir not even for name's sake. The state administration is in the grip of pro-Pakistani elements. I had given this example earlier also. Not even a single state Government official participated in the last Republic Day celebration. Pakistani flags are hoisted there on 14th August instead of 15th August (Independence Day) every year. That is the situation in Kashmir. Even Government Servants of Kashmir go to Pakistan to receive arms' training. I was not present a few days back when the Home Minister made a statement in the House that even Government officials go to Pakistan to get training. That is on record. I need not repeat it here. If you need proof, I can even give that. You can call Jagmohanji. He would give you complete list along with the names and other facts. This list is there with the Home Ministry.

Just now a mention was made of the media and Radio and T.V. I would like to add that Pakistani Radio and T.V. are adding fuel to fire by carrying propaganda of misinformation. The Indian T.V. and Radio have completely failed so far as propaganda among the masses is concerned as compared to the Pakistani T.V. and Radio. Therefore, I want to say that some effective and firm steps should be taken in this direction and try to popularise Indian TV and Radio among the Kashmiri masses so that they know the real facts.

I want to say one thing more. Just now a friend from the Congress said that we should hold a dialogue with the militants and liberate them. What message does he want to convey to them? If the para military forces and military forces on the border, who

are ready to sacrifice their lives for the country, come to know of this then why would they fight for the country anymore. Therefore, I would like to submit that we should not use such language...*(Interruptions)*...

[English]

SHRI DIGVIJAYA SINGH: Sir, I have specifically said that I was not talking about the militants. I have said that there are other persons who are political prisoners and who are not connected with violence. I have talked only about such people.

[Translation]

SHRI MADAN LAL KHURANA: Mr. Deputy Speaker, Sir, I would like to know their number.

SHRI DIGVIJAYA SINGH: Whatever be their number.

SHRI MADAN LAL KHURANA: Don't just talk in the air. You should request the Government. That is what I want to say. The Government gives a statement but in actual practice it is not implemented. There is difference between what it preaches and what it practices...*(Interruptions)*... Last time also hon. Member Shri Ayub Khan had said that the Kashmiri migrants have come out of the valley on their own. The BJP has asked them to flee. I have come with these letters today...*(Interruptions)*...

SHRI AYUB KHAN (Jhunjhun): Mr. Deputy Speaker, Sir, I had not said this. I had said that it was because of BJP that Shri Jagmohan had to resign. He was instrumental in the migration of Kashmiri Hindus. The situation in Kashmir is not bad. There is no ill will between Hindus and Muslims anywhere, neither in Kashmiri nor anywhere else. This is just a self created conspiracy...*(Interruptions)*... BJP made a policy through Jagmohan to shift all Hindus from the valley. How could that be possible. The entire population was shifted from one place to other.

16.00 hrs.

SHRI MADAN LAL KHURANA: That is what I was saying. You said that BJP and Shri Jagmohan worked in collusion for the migration of Hindus from the valley. Does it not amount to adding insult to injury.

[*English*]

MR. DEPUTY SPEAKER: Everyone has got to be given a chance to say whatever he has to say. When a particular individual is speaking, it is not fair to interrupt, unless he yields.

SHRI E. AHMED: But what should we do when one hon. Member misquotes another hon. Member?

MR. DEPUTY SPEAKER: Misquoting is also not fair.

[*Translation*]

SHRI MADAN LAL KHURANA: Mr. Deputy Speaker, Sir, I had named him, but he repeated what I was emphasizing. He had said that BJP in collusion with the Governor of Kashmir, Shri Jagmohan, had been instrumental in the migration of Kashmiri Hindus. (*Interruptions*) Muslim league can say it, but Congress should not say it. I would like the hon. Home Minister to clarify, whether he is of the same opinion. My submission is that is it not adding insult to injury. Lakhs of people have fled from the valley leaving their home and hearth. Can they do it on somebody's asking? If they had compromised with their honour and raised slogans in favour of Pakistan instead of India, they could have stayed in the Valley.

SHRI AYUB KHAN (Jhunjhunu): Kashmir is also integral part of India.

SHRI MADAN LAL KHURANA: You do not believe in it. If it was so why don't you agree to conduct a Census there. (*Interruptions*) I have been recently to Kashmir. The Congress Member and the Janatā Dal

Member who spoke prior to me, did not say even a single word for the Kashmiri migrants. Over two and a half lakhs of Kashmiri migrants are here for the last two and a half years. They have been ruined and their family life has also been ruined. Over ten to twelve families are living in one room accommodation. Their plight is miserable. 3 to 4 families are living in one tent. Instead of alleviating their sufferings they are being ridiculed and it is being said that they have migrated because of a conspiracy.

Mr. Deputy Speaker, Sir, they are living in inhuman conditions and about 3 days back a newspaper published from Delhi carried a detailed report on them. It has been reported that they are dying of sun stroke, snake bite and are living in a horrible condition.

I would like to conclude by saying one thing more. Just now a mention was made about Kashmiri Muslims. I am not against them. I would like to point out here that all Kashmiri Muslims are not supporters of Pakistan, but at the same time I would like to say that we should not ignore the problems of Jammu and Laddakh which are part of J&K. The way Government is handling the Kashmir situation it would worsen things in other regions.

Therefore, my submission is that we are now getting another 6 month's time before free elections are held there. So let us solve the problem sincerely. There is no doubt that free and fair elections have never been held in the Valley since 1952. History bears testimony to this and we are facing the consequences today. It is the result of that terrorists have been born. Shri Farooq Abdullah indulged in many irregularities during the last elections. Besides, taking effective steps to solve the Kashmir problem efforts must be made to do away with the injustice that is being committed against Jammu and Laddakh.

[Sh. Madan Lal Khurana]

Not only this, free and fair elections should be held in the Valley as early as possible. Merely passing a Bill to this effect will not serve the purpose in any way and the Government should not just keep fingers crossed but act promptly and bring a concrete policy before the House within six months and solve the vexed problem. With these words, I conclude.

[English]

SHRI SRIBALLAV PANIGRAHI (Deogarh): Mr. Deputy Speaker, Sir, I rise to support the statutory Resolution moved by hon. Home Minister for extension of President's Rule in Jammu and Kashmir.

There is no other alternative available with the Government than to extend the President's Rule. There are no two opinion about the seriousness of the situation prevailing in Jammu and Kashmir. Law and order problem is very very grave. The problem of terrorism is there. Kidnapping of high officials, abduction, etc. has been the order of the day. Under such circumstances, admittedly, there cannot be free and fair elections. And, when we cannot hold free and fair elections in the near future, then there is no other alternative than to continue with the President's Rule there. But, I would like to know how long can we go on like this.

I am pained to observe that a death blow was dealt to democracy when in January-February, 1990 after promulgation of President's Rule, the Assembly was dissolved. I think the dissolution was made only on political consideration. But, the damage then made is now irreparable. Now, we are all saying to forget the past and improve the situation there. The major task before the Government is—not only before the Government but before the nation at large is—to address itself to this problem and bring about some improvement in the law and order situation. Our main task is to first create a cordial atmosphere there.

Several suggestions have been made. It is unfortunate that politics is not playing any role in the valley. No major political activities are taking place there. The political parties have to take initiative in bringing about an atmosphere of trust and confidence. In this connection, the suggestion to revive the dissolved Assembly should be examined. Revival of Assembly is not devoid of some plus points. It should be examined. If it is not found feasible, then there should be a Board of Advisors, consisting of non-officials who should be appointed for assisting the Governor there.

16.10 hrs.

[RAO RAM SINGH *in the Chair*]

There is also another point regarding this. What sort of a person should be appointed as a Governor there? We are trying one after the other from Army, bureaucracy and so on. Whosoever he may be, he should try to understand the problems faced by the people or try to mix with the cross sections of the people. Then, we need not disturb him. If he does his duties as expected of him, then let him stay there.

In this connection also I would request the hon. Home Minister—of course he had stated on the floor of the House earlier about his proposed visit to Jammu and Kashmir—that his visit should materialise immediately. He should pay a visit to the Valley as early as possible. I am sure it will not be a flying visit. He should stay there and devote considerable time there and also try to mix with as many people as possible, from different walks of life, like the lawyers, the traders, the representatives of the cultural organisations etc. He should also assess the situation there. That should be followed with an all-Party meeting. Let there be a Conference of the representatives of all the Parties. Unless, a greater sense of belonging is created there, which is

needed, it is difficult to improve the situation.

Kashmir is an integral part of India. India's solidarity is never negotiable whatever the shadow Foreign Secretary of Great Britain Mr. Kaufman might say. He had made irresponsible, unwarranted observations here and there.

So, whatever is required, it should be done under the framework of our Constitution. A solution has to be found out in consultation with the Leaders of different parties, etc. of Jammu and Kashmir. A very cautious approach is required.

Now, I will come to economic benefits. Speedy relief should be given to the victims of violence unleashed by the terrorists and also by the irresponsible security forces. They are also causing a lot of damage. It is certain that the Valley cannot for ever be ruled by the bureaucratic regime, solely dependent on the security forces. With the help of military personnel and security forces, we cannot think of or for that matter nobody can think of ruling Jammu and Kashmir. At the same time, it is an accepted fact that extremism is often facilitated by blocking the normal political channels. This is exactly what seems to have been happening in the Valley.

Even today MUF has been set aside by an armed group operating under Pakistan's patronage. The problem is, as we know, that every time we get a reply from the hon. Home Minister that it is Pakistan which is instigating terrorism on a large scale from across the border. How long this should be going on, this training of youths, misguided youths and supply of sophisticated arms and ammunitions to them to create trouble here; and also this trouble is fomented, instigated from the other side of the

border? How long can we tolerate this?

The language that Pakistan can understand will have to be spoken by the Government of India. Mere raising our protests or lodging our protests will not do. Therefore, whatever language Pakistan can understand that language has to be spoken by the Government.

Again what we find, what we observe painfully is that disinformation campaign is going on all over the world about Kashmir that, violation of human rights is going on every day there and like that. So, effective measures should be taken to counter this by our Embassy; our Embassy should be suitably instructed, should be suitably equipped to also counter such disinformation campaign which is going on about India.

With these few suggestions, I would say that it is time that political initiative has to be taken and we have to reactivate political parties; and political parties again collectively should start work in this regard.

I am happy that at least Mr. Madan Lal Khurana, who spoke just before me—I do not know whether he has deliberately done it; I would like to congratulate him—he has not made a reference to Article 370. Of course, the first speaker did it; the first speaker from the BJP did that. (*Interruptions*) Even today if we look at the world we will find what is happening all over the world. The other day also Mr. Rangarajan Kumaramangalam, in his reply said something about it. Article 371 also is in operation in several States inside our country by way of establishment of several Autonomous Development Councils, etc. And in the historic background of all that happened in Jammu & Kashmir, if we still insist on abrogation of Article 370, then what should I say? (*Interruptions*).

[Translation]

SHRI MADAN LAL KHURANA: Mr. Chairman, Sir, let me clarify as my name has been quoted. Even if my name had not been quoted I would say that Article 370...

SHRI SRIBALLAV PANIGRAHI: I have congratulated you. I have not said anything else.

SHRI MADAN LAL KHURANA: I would like to give clarification as my name was quoted.

MR. CHAIRMAN: Please sit down. He is on a point of order.

[English]

The MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): I am on a point of order. I think it is necessary for us to start adopting a method of courtesy. Normally, when you want to intervene, you ask a particular hon. Member who was speaking to yield. If Mr. Madan Lal Khurana could adopt it, we will be very much obliged.

MR. CHAIRMAN: This is love for Mr. Madan Lal Khurana.

[Translation]

SHRI MADAN LAL KHURANA: Mr. Chairman, Sir, when Shri Kumaramangalam used to sit on this side what was his attitude.

PROF. PREM DHUMAL: He used to jump in the well of the House frequently.

SHRI MADAN LAL KHURANA: He used to jump in the well of the House, but we never did it.

MR. CHAIRMAN: Please let Mr. Panigrahi speak.

SHRI MADAN LAL KHURANA: He has mentioned my name. Let me clarify, Sir, I will take only one minute.

MR. CHAIRMAN: People are ready to do anything to get their name publicised and you are objecting when he is taking your name. Please let Panigrahi ji speak.

[English]

Your time is up.

(Interruptions)

[English]

SHRI SRIBALLAV PANIGRAHI: I congratulate him. I am conscious about my time. I am afraid of your ringing the bell. The situation is grave there; and also it is not any partisan matter. Therefore, irrespective of political affiliations, all of us should sit together and address this problem and try to find out a solution. Sir, I request, through you, the honourable Home Minister to take the initiative in this direction.

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Deputy Speaker, Sir, I had given an amendment and I would like to speak in support of that amendment and on this motion also. We do not have much expectations from the discussion on this motion because the Party which has brought about this Bill is making mistakes on two counts. One is and I have firm belief, that they cannot solve the Kashmir problem. They are ignoring the ground realities. Just now the hon. Home Minister made a statement. Though we did not get a copy of it but I was able to catch a few sentences when he was speaking. He said—

[English]

Security Forces have achieved notable successes in apprehending area commanders and so on. Then he says change in the mood of the people.

[*Translation*]

That means there is a definite change in the mood of Kashmiri people and that too favourable to India. The hon. Minister then said—

[*English*]

increasing disenchantment with Pakistan etc.

[*Translation*]

Then he said that the militants or insurgents are so baffled—I would say they are insurgents—

[*English*]

They are insurgents. There is insurgency.

[*Translation*]

if we ignore this aspect we would never be able to solve the problem.

[*English*]

They are striking at soft targets.

[*Translation*]

That means they are not ready for a war and in the end the hon. Minister said—

[*English*]

not possible to restore political process in the near future.

[*Translation*]

Mr. Deputy Speaker, Sir, I think the hon. Minister knows what happened in Srinagar on 14-15 August? Leave aside what happened on that date. What happened last week in Srinagar? The journalists deputed there do not send the actual report. When I was incharge of the Kashmir Affairs for some days, I saw them from close quarters. I know they send the report from Jammu. Most of the

things are a figment of their imagination. They write to please a few big people sitting in Delhi. The journalists in Kashmir have been posted there to ensure the flow of information from various departments like the CBI etc. This is a great injustice to the people of Kashmir and the journalists have contributed in their own way. The real facts never come to light.

Mr. Deputy Speaker, Sir, will the hon. Home Minister deny that a 20,000 strong crowd was addressed by the Acting Commander-in-Chief of J.K.L.F. Javed Munir in the Jama Masjid in Srinagar last week? The Commander-in-Chief is in jail and that is why the Acting Chief addressed the congregation. That means the J.K.L.F. can address any mob in the Jama Masjid and ask them anything. Will the hon. Home Minister once again deny that after two days AL-Azhar Mujahideen also organised a strong gathering, which was to be addressed by the Chief of the organisation Mushtaq Zargar, but he could not attend and the congregation was addressed by his lieutenants on 14th August i.e. the Independence day of Pakistan. Mushtaq Zargar gave a grand display of arms on the main streets of Srinagar. A jeep with six stars took rounds of the streets along with his army. But here in the House the Government says—

[*English*]

There has been notable success in apprehending 'area Commanders'.

[*Translation*]

Is it not a fact that on the same day the Hizbul Mujahideen also displayed sophisticated arms and ammunitions in every street of Srinagar and thus showed of their strength. But if the hon. Minister says in the House that the militants are fleeing or yielding and that we have achieved notable success, I think we would not be able to express our views dispassionately and thus move in the direction

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of solving the problem. Unfortunately, when the Government is not accepting the ground realities, it is becoming a matter of serious consequences.

Some of the speakers who spoke prior to me put all the blame on the Janata Dal Government and said that they were primarily responsible for this turmoil. We do not want to rake up a controversy, but we do not want to participate in this discussion like this. When we were discussing the terrorists and Anti Disruptive Activities Act one of the most learned and intellectual Members of the Congress Party Shri Mani Shankar Aiyar used a fantastic word in his speech. He used the word 'abortion' to describe the situation in Kashmir.

[English]

"The deterioration of the law and order situation in the State, to the point where the bulk of one entire community have more or less migrated from the State, where the rule of the gun prevails over the rule of law, started when there was an abortion of the political process..... a Governor to Kashmir, who immediately aborted the political process there and did not allow the political element, the nationalist element in the valley to interact with the people....."

[Translation]

This is the way Congress thinks. He further stated that the political elements, including Farooq Abdullah, whose name he repeated again and again, should co-operate with the Congress as if Congress can still improve the things in the valley. I do not have any complaint against him because by doing so I would be wasting time. When he speaks we feel that he speaks as an official spokesman of the Congress party. I would like the hon. Members of Congress to go through the book, I am having in my hand. This Book is written by Farooq Abdullah and its title is 'My Dismissal'. Whatever Dr. Farooq

Abdullah whom you are proposing to install as C.M. of J&K has written in his book. Please just listen to it. At least we should know the history. This book was published in 1985 in which Dr. Farooq Abdullah writes:

[English]

"The Congress and its allies, the Shah faction (Shah means Gul Mohd. Shah in Kashmir have not given up their description of me as anti-national and dangerous to the security of India. The Congress is directly responsible for my dismissal and the situation which prevails in Jammu & Kashmir today."

[Translation]

But things do not end here at all and further they talk of conspiracy.

[English]

conspiracy to displace him.

[English]

The Congress(I) and Mrs. Gandhi were unwilling to live with rival centres of power in the States. This becomes evident from their manipulations in Jammu and Kashmir and Andhra Pradesh. From the time I formed my Government after the general elections in June, 1983, I lived from minute to minute for I knew that Delhi would topple me sooner or later, they were intent upon it.

SHRI A. CHARLES (Trivandrum):
In 1985, Shri V. P. Singh was also responsible for the dismissal of the Ministry. Where is he now? (*Interruptions*).

[Translation]

SHRI GEORGE FERNANDES :
Mr. Chairman, Sir, please tell him once for all that continuous interruption has no meaning.

[English]

Mr. Jagmohan came to Jammu and Kashmir having already heard the fairy tale of the political fiction from the Congress. You sent him because you were a fixer. You sent him to destabilise the Government, throw the Government out.....
(Interruptions) You created a situation.

[Translation]

Regarding the appointment of a particular person as Governor, I quote Dr. Farooq Abdullah; just listen.

[English]

SHRI A. CHARLES: It is irrelevant.

MR. CHAIRMAN: Kindly do not interrupt.

(Interruptions)

SHRI ANNA JOSHI (Pune): He is giving the guidelines for their study on the Kashmir issue.

[Translation]

SHRI GEORGE FERNANDES: If the ruling party turns a blind eye to facts, I am not talking of politics, but just presenting the facts; if you want to solve the Kashmir problem, you can not do so by ignoring the facts. If the mistakes are not realised how can the solution be found out...
(Interruptions)...This is my objection, and you are repeating the same thing here.

[English]

The Principal actors in this show, were Arun Nehru, Makhantal Fotedar, Ghulam Nabi Azad, Arif Mohammed Khan, Mufti Mohammed Syed (PCC President), Moulvi Iftikhar Hussain Ansari (Leader of Congress Legislature Party), Pt. Mangat Ram Sharma (PCC General Secretary), Mr. D. D. Thakur and, of

course, Mr. Ghulam Mohammed Shah. The cost which performed as directed, was presided over by Mrs. Gandhi who was the Director and Producer.

[Translation]

Sir, that is why I am putting before the House the complete details from where the Kashmir problem starts. Unless it is discussed in detail and we discuss only the incidents happened in 1989, it would be improper. Dr. Farooq Abdullah's elected Government came into power in 1984 and as per Dr. Abdullah, the conspiracy starts to dismiss his Govt. He is mentioning the names of the persons involved in it. I am not bothered to which party they belong to now. I am only concerned with the issue as to how we can solve the Kashmir problem. You cannot solve this problem unless you understand the facts. You dismissed the elected Govt. In 1984 Dr. Farooq Abdullah came on street to oppose tooth and nail everything at that time. He took in the stride all the allegations of being dubbed as Pakistani agent, traitor and antinational.

All the non-congress parties of India, sitting on opposition benches, without exception went there to express their support to Dr. Farooq Abdullah, who could not stand by his words. He told that he was called during 1983 and was asked to enter into an electoral alliance with Congress (I) and when he refused to do so, he was threatened that he had no alternative but to enter into an alliance with Congress.

[English]

"In March 1983 or so, they started talking of an electoral understanding for forthcoming elections. For that I went to Delhi for preliminary talks with Rajiv Gandhi and Krishan Chander Pant. When the plan was unfolded to me I left that such a major decision should not be taken by me alone but that the other leaders of the Party should be consulted. I wanted to consult the

[Sh. George Fernandes]

Working Committee of the National Conference....”

Then they came to the conclusion that what they were offering was not adequate, what they were offering was not in the larger interests of the National Conference.

Further it says:

“That was the first breaking point. For this the Congress never forgave me for they wanted to win elections in Kashmir riding on our backs...The Congress in Kashmir is known for its tricks. They contrived to start a fire in their party Headquarters, the Congress Bhavan, putting the blame on us. Later when Mrs. Gandhi addressed a public meeting in Iqbal Park and the attendance was thin, the local congressmen were able to convince her that Farooq Abdullah and his partymen had prevented people from coming to her meeting...If the Congress can prove this I will quit politics.... We had absolutely no hand in it and I told her personally about it. Later when Mr. Rajiv Gandhi came to Srinagar and addressed a public meeting in Iqbal Park, my Government took precautions to avoid any unpleasant incident or violence. The police arrested a large number of Congressmen, on the spot with stones, knives, acid bottles and the like. They were later released on bail which were offered by well-known Congress workers I told this to Mrs. Gandhi and that such things were organised by her partymen to malign us before the people”...*(Interruptions)*

SHRI A. CHARLES: What is the relevance of this...*(Interruptions)*

[Translation]

SHRI ANNA JOSHI: When all this happened at that time it was never objected to but why it is so now?

[English]

MR. CHAIRMAN: Mr. Fernandes, you will have to kindly wind up now.

SHRI GEORGE FERNANDES : But they have taken all my time are witness to this, Sir.

MR. CHAIRMAN: No, always they have allowed you to continue...

(Interruptions)

[Translation]

SHRI GEORGE FERNANDES: I will not take more time. It is a matter which relates to Kashmir and there are so many things which are causing damages; but I am summing up and will not quote much more.

[English]

MR. CHAIRMAN: I think you have quoted quite extensively from the book.

[Translation]

SHRI GEORGE FERNANDES : I won't quote further and reserve these for the next time. My submission is specially to the educated ones that they should go through the book. One should restrict to ones own subject and his...*(Interruptions)*.....I am not referring to any individual, but why are they feeling guilty. I am not pin-pointing any individual. My submission is to the educated persons. Why are they feeling perturbed..... *(Interruptions)*..... How can the mistakes of 1984 be rectified? After 1984, Dr. Ferooz Abdullah wrongly succumbed to your pressure. In 1983, he had the courage to oppose. In 1984 when his Government was dismissed, the whole of the opposition stood by him. Dr. Abdullah stood by the opposition, but since the day he entered into a contract with you under pressure, he lost the love and affection of the people of Kashmir which was

his asset earlier. Why this fact is being denied by you? Dr. Farooq Abdullah admits all this, but why are his agents refusing everything. Dr. Abdullah admits all this and says this was his Himalayan blunder, but after that during the election held in 1987 an accord was already signed. The objective was somehow to get power. So you contested the election held in 1987 by entering into an alliance with National Conference and.....

AN HON. MEMBER: Elections were rigged...*(Interruptions)*.....

SHRI GEORGE FERNANDES : I am quoting from the book of Dr. Farooq Abdullah. If you go to any street in Kashmir and talk to any old person, he will tell you that he has voted only two times one in 1977 when Morarji was Prime Minister and next time in 1984...*(Interruptions)*...

[English]

MR. CHAIRMAN: Mr. Fernandes. I think you have given a very adequate background. Now the Resolution is on the extension of the President's rule. I think the background is now becoming too elaborate.

[Translation]

SHRI GEORGE FERNANDES : I am concluding my speech now. I would like to say that such a wrong attitude taken by the Government cannot resolve this issue. I told you in the beginning that this issue of Kashmir cannot be solved if we show our helplessness and stand defected. This will not serve any purpose. We cannot deny the facts and historical situation of Kashmir which have created these circumstances and in the present context will not solve this problem. Therefore, I in response to the hon. Minister's proposal of extending the President's rule by six months requested that the time be limited to three months only so that the Government may show the courage of doing this as their partymen are repeating

both outside and inside the House that they would start political action and political process. According to their claim there is the only party in Kashmir which can form the Government there. So let them show the courage of holding elections there. Government should take away the control from the hands of the police.

Mr. Chairman, Sir, few days ago, the hon. Home Minister had told that he is going to Kashmir but he did not go there. He can give many reasons for that. But, is there any serious problem in the country, other than that of Kashmir. The hon. Home Minister should necessarily visit Kashmir. Much time has passed after this Government had taken charge. In the present situation, the Union Home Minister of India should definitely visit Kashmir.

[English]

MR. CHAIRMAN: (Rao Ram Singh): The time allotted for the discussion on this Resolution was one-and-a-half hours. We have already exceeded it. If the House so desires, we can extend the time by another half-an-hour.

SOME HON. MEMBERS: Yes.

[Translation]

SHRI GEORGE FERNANDES: Mr. Chairman, Sir, my first suggestion is that the Home Minister should give priority to the Kashmir issue and he should go to Kashmir and talk to the people at all the three places i.e. Jammu, Kashmir and Ladakh in order to know the facts and circumstances there. And thereafter he should bring some solid proposals to this House.

Secondly, I would like to say about the civil Rights of the Kashmiri people. Today, there are two types of persons. One who are armed with guns and others who are innocent and victims of terrorism. If we put these two types of persons in same side and do not adopt a policy to distinguish

[Sh. George Fernandes]

between them, this problem cannot be solved. If you will not adopt any measure other than guns then how the people of Jammu-Kashmir will feel themselves Indian citizens. A measure of mutual discussion should be adopted by you.....(Interruptions).....

SHRI AVTAR SINGH BHADANA (Faridabad): Please tell, what solution you have.

SHRI GEORGE FERNANDES: We will tell you when we come into power again. Now there is your Government, so you should do this. Should I show your Party's manifesto to you, in which everything is mentioned. Why do you ask me? (Interruptions).....

Mr. Chairman. Sir, I would conclude my submission within six sentences. The Government should change its stand on the questions of Human Rights and Civil Liberty and should provide an opportunity to the people all over India associated with the cause of Civil Liberty to meet the people of Kashmir to understand their problems.

Third question is related to the Kashmiri Pandits. We never agreed to the Bhartiya Janata Party's stand in regard to the Article 370.

I would not like to speak regarding that as you will not allot me the time required for it. Those Pandits who are scattered in Delhi, Jammu and other parts of the country need relief today. The decisions taken in 1990 have not been implemented by this Government even after passing a quarter and one year. They have abandoned the process we had initiated regarding their problems. Today, when those Pandits come forward with their demands, they get nothing except lathis. We urge upon the Government to consider sympathetically the problems of the Kashmiri Pandits and to give them immediate special reliefs. As we consider Kashmir an integral

part of India, so it is necessary that we should not repress the people our integral part of the country. They should not be neglected to make them feel themselves alienated from us.

[English]

SHRI MANI SHANKAR AIYAR (Mayiladuturai): Mr. Chairman, Sir, I must apologise for the condition of my voice, but I trust our sound engineer will be able to reach out to the ears of our people what I am unable to do with my vocal chords. (Interruptions)

Mr. Chairman, Sir, I rise to support the Statutory Resolution moved by the Home Minister seeking the extension of the present Constitutional situation which prevails in Jammu and Kashmir by a further period of six months. In extending my support to the Home Minister on this Statutory Resolution, I would wish to urge upon him that the Congress Government which came into power and became responsible for the affairs in Kashmir is now about 65 days old, and in these 65 days we appear to have done nothing except continue not only the mistaken policies of our two predecessor governments, but also the personnel of our two predecessor governments and have not given any indication whatsoever about how we propose to change the situation as it prevails. (Interruptions)

I entirely agree with my friends, Sved Shahabuddin and George Fernandes—if you permit me the appellation my friend for George Fernandes—that the situation in the Kashmir Valley is not one that gives any kind of comfort or re-assurance to anybody in any part of this House. Mr. Fernandes is of the view that the situation that prevails in 1991 is on account of the actions that took place seven years ago. I have heard of the 'seven-year itch' in abortion and matrimony, but this is the first time I have heard about the seven-year itch in a governmental affair. The fact of the matter is that while we have been

greatly enlightened by what we have been told about the events of 1984 and 1985, and some passing aspersions to what happened in 1987, Mr. Fernandes has chosen to keep us completely in the dark about what happened in 1989 and 1990. In November 1989 when the Congress Party ceased to be responsible for the people of the Kashmir Valley, we had just been, as my friend Shri Digvijay Singh pointed out, through the most successful autumn tourist season that the Kashmir Valley had ever enjoyed. In November 1989, there was a popularly elected Assembly in the State of Jammu and Kashmir. In the month of November 1989, there was a Governor installed in Srinagar, shifting between Srinagar and Jammu, who was regarded by the people of the valley and the people of the State as a model of how a constitutional Governor should function. There was, as George Fernandes reminded us in the debate on the Terrorists and Disruptive Activities Act, a militancy that was on; there was, in his own words, an insurgency that was on. But it was not an insurgency which was at the present level. It was an insurgency which certainly needed to be tackled, but it could not be described as an insurgency that had totally disrupted all normal life in the valley. We also had a situation in the valley, where there were nationalist political elements who had the courage to operate in the valley, unlike the Home Minister of Mr. George Fernandes's Government who, although he belongs to the valley, did not even have the courage to stand in his own constituency in the valley to get himself elected in the 1989 elections. (*Interruptions*) We had a large number of active nationalist politicians functioning in the area. What happened after that? In the three months that elapsed between the Government of India ceasing to be run by the Congress Party and Mr. George Fernandes's Government sending an all party delegation to Srinagar (which I had accompanied in a purely official capacity with the President of my party at

that time, even though I did not have the honour to be a member of that all party delegation as Mr. Fernandes was)—we found a radical change in the situation that obtained in the valley. There was no popularly elected Assembly. Why? Firstly, because the Government of India, through its Governor, had seen it fit to suspend that Assembly and then we had the constitutional monstrosity that a Governor who does not consult even his Prime Minister, let alone the Government of India, decides entirely off his own bat to convert a suspended Assembly into a dissolved Assembly. That is what I meant by a total abortion of the political process.

Sir, we also found a Government in Srinagar completely under siege, so much under siege that this brave Governor sitting in Srinagar decided that he would not go to the Airport to receive the Deputy Prime Minister of India because he did not have a car in which he could travel that distance. We had a situation in which the police officers running that State were so frightened that they refused to let the Leader of the Congress Party go and meet the ordinary people of Kashmir. And even the Minister of the Janata Dal Government who was with us had to escape in his usual *Scarlet Pimpernel* act, which all of us have got to know for too many years, to meet a few people. We had a situation in which that Governor of the State of Jammu and Kashmir refused to even name one single civilian organisation that would be in a position to meet the delegation inside its own hotel. We were in a situation where a complete military rule had been launched by the Government of V. P. Singh, George Fernandes and Mufti Mohammad Sayeed; where the total alienation of the people of Kashmir had begun; and where the Governor, who had at one time acted as the executor of the Congress will, had then so revealed himself in his true saffron colours as to go as the representative of the BJP and had totally alienated the entire Muslim opinion inside the

[Sh. Mani Shankar Aiyar]

valley. We, then, had a situation where we returned saying, let us get together, let us begin a process of bringing Kashmir back emotionally, administratively and politically into the mainstream of Indian life.

The first great step that the V. P. Singh Government took in this regard was to name the gentleman whom I have had the *gustaki* to call my friend, George Fernandes, as the Minister in charge of Kashmir Affairs. And that Government then aborted, I use that word again 'aborted', every effort made by my friend George to restore good sense. We then had a situation where a decision was taken (again, I was not an official Member of that meeting but I was asked to record the minutes, a facility which I have which George Fernandes gets irritated with because sometimes it is used against him in my writings)—I was the one who recorded the decision which Mr. V. P. Singh approved, that their Government was going to find out whether there was any legal way in which we could stop the dissolution of the Assembly and restore it at least to its suspended state. Another abortion—they did nothing about it. In the meanwhile, the excesses of the Governor whom the BJP had imposed upon Mr. George Fernandes reached such a pitch that in the month of May 1990, even they had to get rid of the man.

I now come to the present situation where I have five specific requests to make of the Home Minister while supporting this statutory resolution.

Number one, we do not have a politically sensitive person at the head of the Kashmir Administration. We have one policeman supported by two more policemen. This is wrong. It is a grave error made by the Janata Dal Government, continued by the Chandra Shekhar Government and which we are persisting in today.

I plead through you, Sir, to the Home Minister that with the utmost

urgency we should name as the Governor of Kashmir, somebody with deep political experience. Fortunately, in the two sets of elections that we have had in 1989 and 1991, so many of my distinguished older colleagues, some who back in 1957, shared a Chair along with George Fernandes in this House. I am only a new boy, I admit it, although George seems to think it is some sort of a sin on my part to be only a new boy here—I nevertheless say that since there are so many distinguished and experienced Members of this House, people who have held high office in the Government of India, who are today unemployed, why can we not find one of them to immediately take over the Governorship of Jammu and Kashmir so that after this disgraceful communal Governor we have had in Jagmohan and this policeman—or this set of three policemen—we have had during the last six months, we get a firm political hand steering the rudder of our ship of State.

Secondly, it is of the utmost importance that the Home Minister examine the possibility of trying to see whether the dissolved Assembly can be brought back to its suspended stage instead of being dismissed because, if that is possible, it can be held out as one, may be one, possible means of restoring the political process. I say this in consciousness of the fact that the life of that Assembly is due to expire in March 1992, anyway and if we are able to bring a dissolved Assembly to a suspended state and then to a reanimated state, we may be able to very quickly move through the dissolution of that House and into elections that can give us, once again, representatives of the people from the State.

The third request I would make of the Home Minister is that steps be taken immediately, by which I mean within the next week or so, to revive the dialogue that at one stage started between all the political parties to see

whether we can build up a national policy in regard to Jammu and Kashmir. When we started out in March 1990, I thought, as the junior-most and the one non-official Member who got into that Avro plane, that this was an impossible exercise but I was amazed that, as a result of sitting around that table in that snow-bound hotel in Kashmir, in Srinagar for a day, and the subsequent conversation that was held in Mr. V. P. Singh's drawing room (incidentally, that drawing-room was redecorated for a larger sum of money than the entire money that was spent for five years by the CPWD on Mr. Rajiv Gandhi's house, but that is a different matter)—

17.00 hrs.

Since it was possible to begin a dialogue, I thought that we could once again get ourselves back on that path. The fourth thing I would request of the Home Minister is that the nationalist political elements in the Kashmir Valley led by the same Dr. Farooq Abdullah should be activated and mobilised. Every time Dr. Farooq Abdullah joins that side, he becomes the hero of Shri George Fernandes and everytime he joins our side, he becomes the devil. Let the same Dr. Farooq Abdullah who, at least, has the virtue of knowing the people of Kashmir more than we people sitting on any side of this House, activate and mobilise those people. I particularly would like to take several names that Shri George Fernandes referred to including Moulvi Iftikaruddin Ansari. I would like to see how many of these people can be made a little bit more active instead of remaining mired in Nizamuddin as too many of them tend to do.

My final request to the hon. Home Minister is this that it is absolutely essential that the Administration in the Valley should start displaying a congress face, a human face. At the moment, what is happening with the Administration in August 1991 is indistinguishable from what it looked

like, let us say, in May 1991. We have to give it a human face and giving it a human face means taking up issues of human rights which our leader Shri Rajiv Gandhi, insisted upon so often and highlighted so much in our manifesto. There are certain aspects which we have to consider. The first aspect is that of human rights, the second aspect is economic development, the third aspect is social justice and the fourth one is the re-creation of those conditions in the Valley which, for the last 1000 years, have ensured that the Kashmir Pandits live in perfect harmony with the Kashmir Muslims, but which, for the last 1000 days, as a result of the kind of a communal Governor that the BJP imposed upon the Janata Dal, resulted in all of them quitting the Valley. As soon as they saw Shri Jagmohan's face, they quit the Valley.

With these words, I conclude.

SHRI INDRAJIT GUPTA (Midnapore): Mr. Chairman, Sir, as you have made it clear from your remarks that the time for this debate is very limited, we have already passed the originally allotted time. However, the Chair has, in its wisdom, already allowed more than one speaker from several Parties to speak whereas some other Parties are just perhaps not going to get their turn, I do not know.

SHRI CHITTA BASU (Barasat): They should also get a chance to speak.

SHRI INDRAJIT GUPTA: That is what I am pleading for.

MR. CHAIRMAN (RAO RAM SINGH): You are very ably representing on their behalf.

SHRI INDRAJIT GUPTA: I don't represent anybody except my own Party. Since you have already said that the extension will be only for half-an-hour, I am having some

[Sh. Indrajit Gupta] apprehensions about the fate of my other colleagues here. Anyway, it is up to you to decide.

MR. CHAIRMAN: It is entirely up to the House to decide. The only thing is that the Home Minister has got to give his reply. We should complete before that.

SHRI INDRAJIT GUPTA: We have only one week to go. There is only one week to go before the expiry of the President's rule period. Now, this motion has been brought before the House for consideration.

Sir, I am afraid the situation in Kashmir appears to be reaching a point of no return. Many Members here have already described what is going on there. There is no faintest glimmer of light visible at the end of the tunnel. What this motion proposes to do is nothing more than to continue this kind of state of affairs, this complete and utter deadlock which is really threatening the very integrity and unity of this country. As far as Pakistan is concerned, its motives are quite clear and mainly it is out to internationalise this issue, if it can. From the day 20 years ago when we were forced by circumstances to take certain action on behalf of the people of Bangladesh who were fighting for their liberation at that time, and we helped them to become independent, from that day, there has been a section of people in Pakistan particularly in the army, who have been determined to take their revenge for what was done, according to them, by breaking away East Bengal from the then Pakistan. They are determined on this issue and they are also politically seeking to internationalise. At least, Shri V. P. Singh's Government prevented Amnesty International from coming here. Amnesty International was so insistent and pressurising us so much to allow a team to come here to see for themselves what was going on. They were not allowed to come. But Mr.

Kaufman has been allowed. Mr. Kaufman has been allowed to go to Kashmir to meet umpteen people, to talk to them and to issue all kinds of statements. These are all part of the game to internationalise this Kashmir issue. And I am afraid that the longer this deadlock continues, the longer this unfortunate tragedy, I should say, continues in Kashmir, it will work to the disadvantage of India and not of Pakistan. It is in our interest, in our national interest, though it is a difficult task, sooner than later to try to take some moves, some measures which can break this continuing deadlock because we consider Kashmir to be a part of India, we consider the Kashmiri people to be Indians, we do not consider them to be anything else. But we know the soil of Kashmir can be retained, can be held by virtue of a gun—we have got the army there and we are not afraid of Pakistan in that sense—we can hold the soil of Kashmir, but what about the soul. What about the soul of Kashmir and the Kashmiri people? If that is lost to us, there is then the precious little comfort that we can get by saying that we are holding on to that area, geographically speaking. What is the situation now? So many Members have spoken about it. I am not speaking about the refugees. Lakhs of people have had to leave Kashmir. The overwhelming majority of them are, of course, the Hindus, Kashmiri pandits. There are also some Muslims. But you did not mention that many Muslim families were also having to leave Kashmir. They are having to leave Kashmir also and all these people are living in pitiable condition as refugees. That is up to the Government to look into that question which has been raised in this House many times in different forms as to how they can be provided with more human conditions of life, of compensation and various other things which they require. But now the people who remain in the Kashmir Valley, I should think, after this long period of violence and terror which has stocked the Valley, if some way could be

shown to them by which this struggle could be resolved by some peaceful means of settlement, I think, many people could be found in the Valley who would respond, although there is a fear of the bullet. It is a fact. But nevertheless there comes a time, it has come in Punjab also, when common people whose life has been dislocated, whose economy has been completely shattered, who are now not able to eke out a livelihood, they would welcome a move which would really appear to them to be sympathetic and human and which would be showing some way by which a settlement could be brought about. I am afraid, on this issue the Government of India appear to be completely bankrupt, completely bankrupt. They have nothing to offer except the continuation for another six months of the policy of bullet for bullet and gun for gun. Of course, you have to use the gun when people on the other side are committing violence. But is that the only way that you have got? That will not provide any solution ultimately. More and more we are committing our para-military forces and the army to this unpleasant job, the more the other side is escalating its violence, we are not able to prevent infiltration across the border. All these figures which I have given are of thousands of young men who have been sent across the border to get training there, to get arms there and come back again into the Valley. Their number has been going up all the times. It means, we are not capable of checking this infiltration and counter-infiltration across the border.

Why not? I do not know. We should be told, why our Army which is guarding the border, whose job is to guard the international border—we have one of the best armies in the world—are not able to check more effectively this constant infiltration of trained and armed youth from across the other side. It is going on. What is the solution? In military terms, there may not be any solution. In which ever way you look at it, the longer

this goes on, it will work to our disadvantage. The spectacle of an armed insurgency continuing in a part of India is something which internationally also, does not do us any credit, however much we may go on harping on the connivance and the help given to them by Pakistan. The fact remains that there is armed insurgency going on in the Kashmir valley and it has acquired a higher dimension now. They are able to launch counter attacks against our security forces; they are able to carry out ambushes; they have sophisticated weapons of every sort. Therefore, it is a kind of miniature war going on there. And here, I do not think that anybody relishes the prospect of our army being *willy nilly* used for policing purposes. This is something, which I think, perhaps even the Minister of Defence in another context has emphasised this fact. That is not for which the Army is meant for.

The army's job is to guard the borders of the country and to repulse any external aggressor, if he chooses to transgress the border. But the question in Kashmir is such that more and more, the army is used for policing purposes and that is not the job which the army should normally do. This cordoning of certain areas of Srinagar and other towns and then conducting house-to-house searches within the cordoned area, is not the job which the army should be asked to perform. But this is being done repeatedly and inevitably, these charges and allegations are coming about the excesses being committed; about the atrocities being carried out. They may be grossly exaggerated. I do not say that. All kinds of people are putting out stories. They may be exaggerated. But that does not mean that we should allow these things go unquestioned; that there should be no proper enquiry or investigation or action taken against any personnel—whether of the army or of the para-military forces, who may be guilty of committing excesses on the civilian population. If the civilian population is subjected to this kind of treat-

[Sh. Indrajit Gupta] ment, then, it only helps the militants more. It helps the militants, just as a propaganda about doing away now with Article 370. Shri Khurana, will help nobody but the militants and secessionists. It is the worst possible that you can do—demand at this moment. About this Article 370—we cannot go into the history now, and there is no time—remember the conditions in which it came; when there was a Hindu Maharaja who wanted to keep Kashmir independent and not to merge with India, it was the Muslim majority people of Kashmir led by Shri Sheik Abdullah, who stood for unity and not by Hindu Maharaja.

17.12 hrs. [SHRI SHARAD DIGHE
in the Chair]

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): What Nehru ji had said? What Sarju Pandey said?

SHRI INDRAJIT GUPTA: Sarju Pandey is no more in this world. Why you are dragging him here? Leave these matters please.

[English]

There was a peculiar situation at that time and there was no other way to keep Kashmir with India except along with other things, to bring in this Article 370. And just now, if you start a Campaign in the country, as my BJP friends have started that Article 370 must be done away with, here and now—that was part of their election manifesto—and also on which they have housed passions among a large number of people, nothing would help the militants and secessionists more than to demand this at this moment of time, when a struggle is going on there.

[Translation]

SHRI MADAN LAL KHURANA: That time never came in 40 years?

SHRI INDRAJIT GUPTA: Such day which you want will never come.

[English]

Until that time, when free and fair elections can be held this President's rule should continue. I am totally opposed to that. Such a day will also not come.

[Translation]

SHRI MADAN LAL KHURANA: Who has said this? Don't mention anything which I have never said.

SHRI INDRAJIT GUPTA: You have certainly said this.

[English]

The central problem in Kashmir, as I understand it, internally is the fact that there is a two hundred per cent bureaucratic administration which has no line of communication with the mass. The people have no line or channel by which they can communicate or even represent their grievances or do anything to this bureaucratic apex body which is sitting there ruling Kashmir in the name of our Government. This is not the way in which anything can change ever.

Therefore, as many friends have suggested—I am not going into all that again—you must think of some means by which some political initiative is taken to change this totally bureaucratic, military, police set up and give the people a feeling that there is an opening, a channel and a line of communication by which they can represent whatever they want to say, whatever their grievances are, to people who are receptive and who are willing to listen to them and who are willing to act on that basis.

It is astonishing that you have not even thought it fit to consult the political parties on these issues. Some consultation used to take place in those days. But that was cut short—aborted, as somebody said. But for

some time it was going on and the results were not negative; they were good. Everybody was sitting—from Shri Rajiv Gandhi to the BJP leaders, all of us were there and the Prime Minister was there. We used to exchange views, to put forward suggestions, listen to other people's suggestions. This is always a fruitful exercise. It is only through this kind of an exercise that some sort of consensus can be evolved.

But this Government, since coming to power, does not even express in so many words its intention of holding consultations with political parties, jointly, severally, as you like. If you don't want to call them jointly and sit round the table, call the leaders of the different political parties and hear them, listen to them, exchange views with them, seek their opinion, seek their advice. But nothing is being done.

I would remind you that among those militant groups which are there in the valley, as far as we understand it, not all of them are for merger with Pakistan. The Jamait-e-Islami stands for the merger of Kashmir with Pakistan. But for example, the J&K Liberation Front does not stand for merger with Pakistan at all. They say, yes we want to be free, independent—-independent of India, independent of Pakistan. What do they want, we don't know. What exactly do they want? Is there any method, machinery by which they can be forced to spell out what they want? We do not know. There is an occupied area of Kashmir on the other side of the border, occupied by Pakistan where we are told all sorts of internal trouble are now taking place. Recently there have been disturbances there and all sorts of things are happening. But we have no line of communication with anybody.

I agree, Jamait-e-Islami is an organisation with which nobody can have any truck or any fruitful dialogue. There is no use trying also. But there are other people in the valley. How

to find them out? Will the Governor and his police advisors be able to communicate with them and give you any feed back? I doubt it very much. Therefore we must think of reorganising and restructuring this whole machinery which we have got there at present and which is getting a bad name and nothing else for ruling with the help of the gun and the bullet and committing all kinds of atrocities and excesses on the civilian population. This must be stopped.

Internationally also we are being discredited. Despite our best efforts, we will be discredited. Because the international media, as we know, are not well disposed at all towards India and the slightest things which happen here, the incidents are being blown out of proportion and magnified. People generally think that Kashmiri people are in revolt, the people don't want to stay with you. They don't want you. They want to be independent, they want to be free. As somebody said just now, such things are happening now in many parts of the world. How are you looking at it? Do you want to say, Latvia, Estonia, Lithuania want to be independent? They have the right to be independent. We want to recognise their independence. When it comes to Kashmir, what happens about other people in the world who are witnessing what they consider to be a war of liberation by the people of Kashmir? Neither our media nor our propaganda, nor our method of administering that place, nothing is helping us in any way. Therefore, I would like to say that some example should also be shown who we view these excesses and atrocities. I am sure that among the para-military forces and military forces, there may be individuals. There are black sheep everywhere who may have been guilty of such type of excesses. They should be brought to book. It should be known to the public of Kashmir and this country that such people—wrongdoers—will not be allowed to go scot free and that they will be given

[Sh. Indrajit Gupta]

proper punishment and all that. That is not being done. That is not done in Punjab, I think, with deleterious consequences in Punjab also.

Secondly, I support the proposal made that the Governor should be a person who has not necessarily belonged erstwhile to either the police or the army. I do not know why this has become a kind of a *mantram* now that it must be somebody from the army or police. There are eminent public men who have long experience, who are matured people, who have faced many kinds of difficult and tricky situations. Why out of them you cannot select somebody who will command more confidence among the people than that kind of person. I have nothing personally against Mr. Saxena at all. That is not the point. But I heard him speak also at the last meeting of the National Development Council which was held some months ago in Madras. But what he said did not hold out much cause for optimism or hope either. He had a policeman's view of the situation. From that point of view, he may be a disciplinarian, he may be quite strict and all that. But that is not going to solve the problem now. Therefore, we must bring about some differentiation among the different strata of the Kashmiri population in the Valley. We should not regard them as one whole who are all committing some kind of confrontation and conflict with us. There are all kinds of people. There are all kinds of former leaders of Kashmir who may not be in Kashmir now—may be out, I do not know. I am not speaking about Mr. Farooq Abdullah. I think, Mr. Farooq Abdullah is a victim of many sins which were committed in his time when he was the Chief Minister. I have no doubt about that. But I do not support him for the way he abandoned his people in Kashmir and disappeared abroad. That National Conference of his father and himself was the strongest political force in the rural areas of Kashmir particularly. In

every village, there used to be a unit of the National Conference. They had their trained volunteers. They had their cadres who used to go around from house to house spreading their message. But if the leader disappears and goes abroad and remains abroad for months together and this kind of activity of the secessionists and the terrorists continues, how do you expect those people—the rank and file—to retain their morale? Gradually, gradually that National Conference organisation and its cadres have disintegrated. There may be many of them there still who can be revived. I do not know. I am not in a position to say. But the fact of the matter is that neither the Congress Party nor that National Conference nor any other of the parties here, has been able in this whole period to revive their activities, political activities, within the Valley.

We should also get together as political parties and consider what can be done in this respect. I do not believe that nothing can be done. Some beginning can be made and has to be made if this is considered to be a national problem cutting across all party barriers. Therefore, it is my request. Of course, we have no option but to support this motion. The President's Rule is going to expire on the 2nd of September. If this motion is not passed, if it is defeated, then what happens from the 3rd of September? We cannot contemplate that possibility at all. But this kind of habit or practice which has started at the last moment, at the frag-end a fresh motion for extension of President's Rule and then going on in the same old way, is only going to aggravate the crisis. That will be to India's disadvantage, not to our advantage. Therefore, I request the Minister to kindly give us some hope at least and some confidence that the Government is thinking of some other way, apart from the bullet and the gun, so that we may try to cooperate and see that some solution is found.

MR. CHAIRMAN: I think I can now ask the Minister to reply if we want to end this debate at 6 PM.

SHRI CHITTA BASU (Barasat): Sir, this is a national issue. We should be allowed to speak.

MR. CHAIRMAN: But should we end the debate at 6 O'clock or not? If it is to end at 6 O'clock, then I must allow the hon. Minister to reply.

SHRI CHITTA BASU: Sir I will not take more than 6 to 7 minutes.

MR. CHAIRMAN: OK. You may speak.

SHRI CHITTA BASU: Sir, I could appreciate the position of the Government because they have got no other alternative than to seek for the extension of President's Rule in Jammu and Kashmir. I can appreciate alongwith other Members the constraint which the Government of India is facing today. But I want to take this opportunity to say the situation in Jammu and Kashmir has further deteriorated to a very great extent. There should not be any idea of complacency in the mind of the Government at the Centre. As a matter of fact, the writ of the Government does not run in Jammu and Kashmir. It is the militants of different affiliations who have got a complete sway of the life of the people of Srinagar and also other parts of Kashmir as well. Pakistan has always supported these militants and insurgents. And it is also being admitted by them officially that more than 10,000 Kashmiri militants have been given training, arms and ammunition of a very sophisticated nature. Pakistanis have also, as in the past, been trying to internationalise the issue. Sir, the Government has always been following one-track approach. The one-track approach has been only to deploy military strength and to cow down the people of Jammu and Kashmir. When the Janata Dal was in

the Government, I was very amused to find Mr. Chidambaram who always used to ask as to what is the policy or the Kashmir policy of the National Front Government. Now, equally I will ask him as to what is the coherent and comprehensive policy or the general approach or the coherent programme of the Government in regard to Kashmir. It has been a dismal failure on the part of the Government to evolve a coherent and comprehensive Kashmir policy. Sir, the policy, if there is any, is to apply gun, to deploy militants and not to recognise, I must say, the distinctive culture, the personality of Kashmiris, their language, their way of life and culture. You can conquer a territory. You may have a territorial quest over a part of Kashmir. But you cannot win the hearts and souls of the people of Kashmir. People of Kashmir are to be made to understand that they are a part of India and they have got recognition of their distinctive culture, their language and they have equal rights as citizens of India. As a matter of fact, Government of India's policy has been to deny their basic rights as citizens of India. May I know whether you are willing to revise your position fundamentally, basically to recognise the rights of the people of Kashmir and their sensitivities, when you are getting a chance of extending the period of Central rule there? Unless you have got your policy based on that understanding, unless you have got your policy based on the perception, I am very sorry to say that Kashmir may remain territorially a part of India, but its soul will not be with India. Do not take it otherwise, but I have to say this. As a matter of fact, they agreed to join India with great hopes but you have belied those hopes.

In this background, I want to say that though this time there is no suggestion for handing over Jammu & Kashmir to the military, on an earlier occasion, some of the BJP leaders publicly made it known that Kashmir should be handed over to military.

SHRI RAM NAIK (Bombay North): Who has said so?

SHRI CHITTA BASU: Some of your leaders.

SHRI RAM NAIK: How can it be? I do not know whether you have read correctly. Can you kindly name at least one leader?

SHRI CHITTA BASU: Your Vice-President Shri Krishan Lal. Anyway if you deny it, it is all right. That is what we want. You see, you are opposed to Article 370. You do not want the deployment of the military. You say that there is a need for political solution to the Kashmir problem. It is very good. But some of your leaders have been insisting that the Kashmir Valley should be handed over to the military. If you deny it, we will be happy...*(Interruptions)*

SHRI RAM NAIK: If you are saying that it is said that it should be handed over to the military, then the answer is 'yes'. But if you are saying that we want to hand it over to militants, then the answer is absolutely no.

SHRI CHITTA BASU: Some of the leaders of the BJP have gone on record. I have mentioned one leader's name. I did not want to mention his name, but since you insisted, I mentioned his name. He said that Kashmir Valley should be handed over to military. *(Interruptions)*

MR. CHAIRMAN: Your time is over. Please conclude.

SHRI CHITTA BASU: I have been interrupted. Please allow me to speak. I should make my position clear. I am opposed to the idea of handing over the Valley to the military because military solution is simply not possible. Therefore there should be a political solution to the problem. With regard to this political solution, I think some have suggested

that the Assembly should be revived. I must say that that is not going to solve the problem. That may further complicate the issue. Therefore, the only option left with us is to the political forces, with the help of the political parties in Jammu and Kashmir. I think Government should take certain steps to allow the political forces to work there. Secondly, it is necessary to differentiate between one militant group from another. As per the information, we know that all militant groups are not for Pakistan. If you work out your strategy on the basis that every Kashmiri is a Pakistani or every Kashmiri wants to go to Pakistan, then it is a wrong perception.

A strategy based on that wrong perception is bound to fail. Even there are differences in approach among the various shades of militants and insurgents. There are basic reasons for insurgency. I have no time to explain the various reasons for the insurgency in Jammu and Kashmir but I think the Government should understand it, realise it, examine it and evolve an appropriate strategy.

Finally, Sir, while concluding, I also support the demand for proper and adequate relief measures for the migrants of Kashmir; Hindus and Muslims both. We should not feel that Kashmir migrants are problems of Hindu migrants alone. There are other migrants also. Therefore, Government should formulate an appropriate policy for providing relief, succour and rehabilitation to the Kashmir migrants of both the communities who are passing their days in great distress.

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): Sir, I must express my gratitude to all the hon. Members who have very clearly stated their views as to what should be done to solve the Jammu and Kashmir problem.

At the outset, I must admit that though I had made a statement that

I will go to Jammu and Kashmir, it was impossible for me to go out even for a single day as I was busy with both the Houses. I would like to repeat that I will definitely go to Jammu and Kashmir, meet a large number of people and try to find a solution of the problem. I must say that the Government has a definite policy so far as the State of Jammu and Kashmir is concerned.

SHRI CHITTA BASU: What is that policy?

SHRI S. B. CHAVAN: You wait for a few minutes. I will explain it.

We have a definite policy with regard to Jammu and Kashmir and we do not propose that this kind of situation should be allowed to continue for a long time. It is neither in the interest of the country nor in the interest of the people of Jammu and Kashmir to allow this kind of situation to continue in that area. We don't believe that the people of Jammu and Kashmir are keen to declare the independence of Jammu and Kashmir. Under compulsion a large number of people are dragged from the State; taken across the border; given the training; given the weaponry and at the gun-point they are asked to go and hit a particular target. We could get this information that Pakistan is fully involved in this, from some of the people who have been caught. Though at international forum Pakistan is denying the fact that they have any hand in it, still there is no denying the fact that Pakistan is deeply involved in it and they are interested, as my friend Shri Indrajit Gupta has said, to internationalise this issue and to create a kind of atmosphere by which international community should get a feeling that situation seems to be out of control so far as Jammu and Kashmir is concerned.

Simla Agreement was signed between Mr. Bhutto and Shrimati Indira Gandhi with a view to find bilateral

solution to the problem. There are forces which are trying to internationalise the whole thing and take advantage of the situation. They somehow want that this kind of unrest continues and the bureaucracy and the local people become hostile to the Government of India. We have to go deep into the matter and find out as to who are those people. Unfortunately, I must also admit the fact that the political parties existing in Jammu and Kashmir amount to nothing. Nobody seems to have gone into that area. Even for the party purposes also, nobody is prepared to go there. That is the situation. I have clearly stated that in my Statement which I had made in the beginning.

New efforts will have to be started and I am in full agreement that all the political parties will have to be involved. We will have a meeting of all the political parties and try to find out as to how best we can find a solution by which the people of Jammu and Kashmir are made to believe that they are part and parcel of India. They need not feel totally neglected and alienated.

Unfortunately the present position is that, the Government of India has been giving them huge amount of money, but whether it reaches the poorer sections or not is a matter which will have to be gone into greater depth. At least, my feeling is that, most of them have not got the benefit of the money which was given for the development of Jammu and Kashmir.

Two huge hydro-electric projects have been located in that area. We propose to take up small projects also. We would like to see that a number of projects are located in that area so that not only the problem of unemployment may be solved to some extent but they should get the feeling that like the projects that are located in other parts of the country, similarly, in Jammu and Kashmir also, there are certain projects which are being

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located. Let the young men get this feeling that there is total administration in that area. I will not go into the details as to who are the officers who have gone there and came back and submitted the Reports. These are matters which according to me are verifiable. The BJP Member Shri Khurana suggested that the information regarding the details can be obtained from one particular person. But he also happened to be a former Governor of that State.

SHRI MADAN LAL KHURANA: You are the Home Minister, you should get the details.

SHRI S. B. CHAVAN: Yes. That is why, I am feeling rather sorry that Shri Khurana should have asked me to find out the evidence from a person who is no more a Governor there and he feels that he has got all the information with him which he must have supplied to me.

SHRI MADAN LAL KHURANA: He was your man.

SHRI S. B. CHAVAN: Anyway, that point is not very much important at this stage. At this stage, I want to point out what are the grievances of the local people? I cannot deny the fact that local administration—even para-military forces and in certain cases even the Army—might have done something. I cannot possibly vouch that everybody is angel and he has not committed any mistake. After all, they are there. They have been doing their job under very difficult situation. They have done something and we do not believe that they cannot be held responsible. Certainly they are responsible. Even we do not find an evidence in that area. It is equally difficult. I am prepared to set up Committees at the State level and nominate people—ex-Members of Parliament, local representatives—if you can go there. We can set up a Committee in that area to advise the Governor and his other assistants also at the district level.

There was a similar Committee that was going into the grievances and tried to find out what is the truth and then advised the Governor as to what needs to be done.

I would request all the hon. Members to kindly use their good offices and give me the names of persons who are prepared to go and work on that Committee. My own apprehension is that even those people will not come and attend the meetings of the Committee. That is the situation in which we are living there.

So far as the exaggeration part is concerned, everybody is free to do and say anything. Shri George Fernandes says that he has a solution to the problem but he is going to give that benefit only when he comes to the Government.

Very fine. This is an approach that we have to have on a national issue. If you think that some concrete suggestions are there, you will not co-operate with the Government and try to give the solution if you have any. I am sure, when a meeting of all the political parties may be called, if not here, he will re-consider the whole thing, consider this not as a political or a partisan issue wherein a political mileage has to be gone but a national issue. Jammu & Kashmir is a very difficult area. In fact, on the Floor of this House, I would like to say anything more. It is bound to be an issue for which the solution will become an almost impossibility. Are we prepared to face that kind of a situation or take the warning, try to find a solution and go deep into the matter?

Sometimes with the risk of life, you have to go there, try to find out if something is going wrong or not. We have to go there and take them with us so that they feel that they belong to the mainstream of our national life. In fact, this is the only ultimate goal that we have to achieve; we would like to bring them back to the mainstream so that they have a feeling of

participation; and also let them have a feeling that if any wrong is perpetrated, they cannot be left alone; there is a Government which can go over there and try to find out as to how best a solution can be found. This kind of a situation has to be found out.

If you are going to ask me after six months are you not going to come back to this House again, I cannot possibly say anything about it. It depends upon the situation. If we collectively try to find a solution, it is not difficult. It will be my endeavour to do my best. But, at the same time, if Mr. George Fernandes thinks that they have already given three months and those three months are over, what is the alternative that we have found after three months, I think he is not correct. Ultimately, the steps that we took within six months have helped us a lot. And I can assure you that we are, in fact, very much interested in following the policy which our late Prime Minister, Rajiv Gandhi had laid down for us; and we follow that path; and we will see that those policies are being implemented by the Government machinery and all the people who are there at the helm of affairs. If that policy is followed, I feel quite confident that nobody will be able to internationalise this issue and an amicable solution can be found out.

All other suggestions which you have given, whether the same thing should be revived or Dr. Farooq Abdullah should be brought or not, I think these are matters which ultimately are matters of details. It will depend upon the kind of a situation which develops there.

About Dr. Farooq Abdullah, he has quoted very extensively from his book. I never thought that Mr. George Fernandes was the follower of Dr. Farooq Abdullah. He has extensively quoted how he was doing and how the Congress was wrong. Now, I think, he will be in a position to sup-

port if I were to bring Dr. Farooq Abdullah and give me full co-operation for the success of the administration. I do not know whether he will be brought. But, at least, I got an idea from the kind of expression that you have used by extensively quoting from his book—I do not know whether it is your opinion or the opinion expressed by Dr. Farooq Abdullah—if by any chance Dr. Farooq Abdullah needs to be brought back, let him also try; because I do not find any other alternative under the situation; let all of us also try and see that normalcy is being brought about in that trouble-torn area and see that we are able to give a feeling of confidence to the local people; that will be the endeavour of the Government of India; and towards that goal, we are going to work; and that is why I have not given the details of the speeches. I have the full information with me. If the hon. Members are interested, I am prepared to give them point-by-point information about all the points that they have raised.

I am also prepared to go into the problems of the Kashmiri migrants who are either in Delhi or in Jammu. I quite see the point that they have to be given more facilities. But at the same time, do not create conditions by which a feeling will be created among them that they are almost now settled in this area and they cannot think of going back. In fact, one of the things we have to attempt is this. A kind of feeling will have to be created that there is a situation wherein if they have to go back, they will definitely get what they want. And I am sure, every section of this House will try to help the Government in order to create normalcy in that area.

SHRI RAM NAIK: Mr. Chairman, I would like to ask a clarification from the Home Minister. The Home Minister has every now and then been saying that Pakistani elements are helping the terrorists. I would like to know from the Minister

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whether the Government is taking up this issue at the Home Ministers' level or Defence Ministers' level or Foreign Ministers' level of both the countries. And at what level the Government is taking up this issue? Is the Government attempting to handle this issue?

SHRI S. B. CHAVAN: Sir, we have taken up this issue at the diplomatic level. We are trying our level best to impress Pakistan and also other countries, who in fact have been helping them, to make them realise that ultimately these sophisticated weapons which are being supplied to Pakistan, are being used by the terrorists against India. Already we have taken up this issue at the diplomatic level. I am happy to say that both the Ambassadors, who were disturbed, have seen me and they also reported to me that they are trying their level best in impressing upon all those who are concerned that Pakistan is trying to internationalise this issue and asking them not to help Pakistan. To a considerable extent, they have succeeded in explaining the whole thing.

MR. CHAIRMAN: Now I will put the amendment no. 1 moved by Shri George Fernandes to the vote of the House.

Amendment No. 1 was put and negatived.

MR. CHAIRMAN: The question is:

"That this House approves the continuance in force of the Proclamation dated the 18th July, 1990 in respect of Jammu and Kashmir, issued under article 356 of the Constitution by the President, for a further period of six months with effect from the 3rd September, 1991."

The motion was adopted.

17.53 hrs.

DEMANDS FOR GRANTS (GENERAL) 1991-92—*Contd.*

Ministry of Agriculture, Ministry of Food and Ministry of Rural Development

[English]

MR. CHAIRMAN: The House will now take up together discussion and voting on (i) Demand Nos. 1 to 4 relating to the Ministry of Agriculture, (ii) Demand No. 38 relating to Ministry of Food and (iii) Demand No. 69 relating to Ministry of Rural Development for which 10 hours have been allotted.

Hon. Members present in the House whose cut motions to the Demands for Grants relating to the Ministry of Agriculture, Ministry of Food and Ministry of Rural Development have been circulated may, if they desire to move their cut motions, send separate slips for each Ministry to the Table within 15 minutes indicating the serial numbers of the cut motions they would like to move. Those cut motions only will be treated as moved.

Three separate lists showing the serial numbers of cut motions moved in respect of these Ministries will be put up on the Notice Board shortly. In case any Member finds any discrepancy in the lists he may kindly bring it to the notice of the officers at the Table without delay.

Motion moved:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth column of the Order Paper be granted to the President, out of the Consolidated Fund of India, to complete the sums necessary to defray the charges that will come in course of