

Railway Line to J. & K. Coal Mines

496. { Shri Gopal Datt.
Shri Abūul Ghani Goni:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a survey has been completed for a railway line upto coal mines in Jammu and Kashmir, and

(b) if so, the steps proposed by Government to put it into effect and the proposed stages in which the work would be completed?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) A preliminary survey for a B.G. line from Kathua to Jammu and onwards to Riasi, which is near the coal bearing areas, has recently been completed by the Northern Railway and the survey report is under preparation.

(b) There is no provision in the Railway's Third Five Year Plan for the construction of the line beyond Kathua. It is, therefore, too early to say, when the construction may be sanctioned and completed.

Royalty on Timber

497. **Shri A. S. Saigal:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Questions Nos. 1836 and 2019 on the 14th and 19th December, 1960 respectively and state:

(a) whether Government ultimately charged royalty on 7,000 tons of timber that was lying in the North Andamans in the Depots of the Forest Lessee there, and what quantity of timber out of these 7,000 tons was actually shipped by the Lessee; and

(b) the amount of royalty bill since issued by Government to the Forest Lessee of North Andaman Forests for timber lost due to the negligence of the Lessee from April, 1959 onwards and whether the Lessee has paid such royalty bills?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). The information is being collected from the Andamans Administration and will be placed on the table of the Sabha on receipt.

12.1 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

SINO-PAKISTAN BORDER AGREEMENT

Shri Hem Barua (Gauhati): I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:

The Sino-Pakistan Border Agreement and the reaction of the Government of India thereto.

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): As the House is aware, the representatives of the Governments of Pakistan and the People's Republic of China have signed what has been described as an agreement regarding the alignment of the boundary between Sinkiang and that part of the Indian territory in Jammu and Kashmir which is under Pakistan's illegal occupation. Details of the agreement have already appeared in the press. A copy of the agreement as released by the Government of Pakistan in Karachi is being laid on the Table of the House. [Placed in Library, See No. LT-904/63].

[Shri Jawaharlal Nehru].

2. According to details released officially in Karachi, the Government of Pakistan first informally sounded China and then sent a diplomatic note on March 28, 1961, expressing the desire to negotiate demarcation of the boundary. The Chinese Government reacted formally to this offer, about a year later, that is in February, 1962. On May 3, 1962 the Governments of Pakistan and China issued a joint communique, in which they agreed to conduct negotiations on the subject. We protested against this development to both Governments. In view of these developments, our representative in the Security Council stated our position, authoritatively, during the debates on Kashmir, on May 4 and June 22, 1962.

3. On the eve of the Indo-Pakistan talks on Kashmir and other related matters, the Governments of China and Pakistan announced an agreement, in principle, on the alignment of the border of the illegally occupied area of Kashmir with Sinkiang. Sardar Swaran Singh, Leader of the Indian Delegation, immediately made our position clear to President Ayub Khan and Mr. Bhutto in Rawalpindi, and again to Mr. Bhutto, later, when the talks were resumed in Delhi, in January last. On January 26, we lodged a protest with the Government of Pakistan against the decision announced in the joint communique issued by them on December, 28, 1962. Another protest is being lodged with the Government of Pakistan against the signing of this Sino-Pakistan border alignment agreement in Peking.

4. It has been stated in Karachi that the difference between the Chinese claim line and the Pakistan claim line was 3,400 square miles. In the final agreement, Pakistan claims to have received 1,350 square miles, including 700 square miles of area which was in China's possession. The Chinese have been given 2,050 square miles under the agreement.

5. According to the Survey of Pakistan maps, even those published in 1962, about 11,000 square miles of

Sinkiang territory formed part of Kashmir. If one goes by these maps, Pakistan has obviously surrendered over 13,000 square miles of territory.

6. Although, according to the agreement, the parties have agreed to delimit the boundary on the basis of the traditional customary boundary line, including natural features, the boundary, as agreed to, does not do so. The Pakistan line of actual control, according to the map, which the Government of Pakistan had supplied to our High Commission, lay, across the Kilik, Mintaka, Khunjerab Passes; but, thereafter, the line left the watershed and followed neither the Aghil Range, which is the traditional boundary, nor the Karakoram Range along which the alignment claimed by the Government of China lay. In fact, the Pakistan line of actual control ran along no definite natural features, but cut across the tributaries of the Shaksgam river and sometimes lay half way up the slopes. It then reached the Karakoram Pass. Running south of the traditional alignment, the Pakistan line of actual control surrendered about 1,600 square miles to China. The difference between the Pakistan and Chinese alignments was about 2,100 square miles.

7. The agreement claims to be provisional, and yet so much haste has been shown in concluding it. It is significant that it is not subject to ratification. Thus the National Assembly, the Press and the public of Pakistan have been given and will be given no opportunity to examine the terms of this agreement.

8. I have already stated in this House, that we are, naturally anxious to have a settlement with Pakistan; but I cannot help feeling that the joint announcement on December 26, the Pakistan Government's announcement on February 22, to sign the

border agreement in Peking, and finally the signing of this agreement have been timed to prejudice the outcome of the joint talks on Kashmir and other related matters. However, as an earnest of our desire for an honourable and equitable settlement with Pakistan, we propose to continue with the talks in Calcutta. I have also stated that a settlement does not mean that we accept whatever is proposed by Pakistan—right or wrong. We cannot abandon the principles we have always valued.

9. The other party to the agreement, namely China, in spite of its professions that it has never involved itself in the dispute over Kashmir or its absurd claim that the boundary negotiations have promoted friendship between the Chinese and Pakistani peoples and are in the interests of Asia and world peace, is directly interfering in Indo-Pakistan relations. By doing this, China is seeking to exploit differences between India and Pakistan on the Kashmir question to further its own expansionist policy. The Government of India have made their position clear in a protest against this agreement which has been lodged with the Government of the People's Republic of China.

श्री बागड़ी (हिसार) : प्रधान मंत्री साहब अगर हिन्दी में इस का तर्जुमा कर दें तो बड़ा अच्छा होगा ।

अध्यक्ष महोदय : यह तो बहुत लम्बा स्टेटमेंट है । इस का तर्जुमा करने में बड़ी मुश्किल होगी । आप इस सवाल को समझने की कोशिश करें ।

श्री बागड़ी : अध्यक्ष महोदय, अगर कोई न समझे तो क्या हो ?

अध्यक्ष महोदय : आप अपने किसी साथी से समझ लें ।

श्री बागड़ी : मेरे साथी भी मेरे ही बराबर हैं ।

Shri Hem Barua: In view of the fact that the Sino-Pakistan Agreement is a direct affront to us, on the top of which President Ayub Khan has added insult to injury by his statement to the effect that it is Mr. Nehru's pride that is standing in the way of an understanding between Pakistan and India on Kashmir—he even ventures to suggest some two other names of Indians who....

Mr. Speaker: Order, order. Such a long statement cannot be allowed.

Shri Hem Barua: May I know why is it that Government have considered it reasonable to pin their faith the illusion of talks even in the context of this perfidious conduct of Pakistan?

Shri Jawaharlal Nehru: I have already answered that question in the statement that I have made.

Shri Hem Barua: I asked why it is considered reasonable even in the context of.....

Mr. Speaker: Government's stand has been made clear.

Shri Hem Barua: I have pointed out a new development, and I ask in the context of these developments, why is it that Government considers it still advisable or still reasonable to pin its faith to the illusion of talks with Pakistan?

Shri Jawaharlal Nehru: The only new fact apparently that the hon. Member points out is the statement by President Ayub Khan in which he has expressed his displeasure of me. I am sorry I have displeased him. That is all I can say. But that will not make us change our policies.

Mr. Speaker: Shri Priya Gupta. Shri Ram Sewak Yadav.

श्री रामसेवक यादव (वाराणसी) : मैं प्रधान मंत्री जी से जानना चाहूंगा कि चीन ने पाकिस्तान के साथ काश्मीर की

[श्री राम सेवक यादव]

सीमा पर जो समझौता कर लिया है उस समझौते को दृष्टिकोण में रखते हुए क्या सरकार कोलम्बो प्रस्ताव के बारे में अपने रुख को तब्दील करने का कोई विचार कर रही है।

श्री जवाहरलाल नेहरू : जी नहीं, उस से इस का कोई ताल्लुक नहीं है।

श्री बड़े (खारगोन) : क्या यह बात सच है कि पाकिस्तान और चीन के समझौता करने के बाद इस के बारे में यू० एन० ओ० को लिखा गया है और जो प्रोटेस्ट हम ने दाखिल की है उस का पाकिस्तान से कोई जवाब आया है ?

श्री जवाहरलाल नेहरू : मैंने तो अपने बयान में भी कहा है कि पारसाल मई और जून में यू० एन० सिक्योरिटी कौंसिल में इस की चर्चा हुई थी और हम ने अपना एतराज पेश किया था। इस वक्त जहां तक मुझे मालूम है वह अब तक यू० एन० ओ० में नहीं गया। इस पर हम गौर करेंगे कि ऐसा करने की जरूरत है या नहीं।

अध्यक्ष महोदय : पाकिस्तान से कोई जवाब आया है ?

श्री जवाहरलाल नेहरू : मैं एकाएक तो नहीं कह सकता। उन के जबानी जवाब तो हुए हैं लेकिन मैं इस वक्त ठीक नहीं कह सकता कि उन का कोई लिखा हुआ लम्बा बयान आया है।

श्री बरेवा कोटा (कोटा) : मैं प्रधान मंत्री महोदय से यह जानना चाहूंगा कि क्या यह सही है कि चीन और पाकिस्तान के इस समझौते में चीन वालों द्वारा लद्दाख के पास के इलाकों में सर्वे करने की बात भी शामिल है ? अगर हां, तो क्या इसका लद्दाख की स्ट्रैटजी पर प्रभाव नहीं पड़ेगा ?

श्री जवाहरलाल नेहरू : जो उन में समझौता हुआ है वह तो मैंने रख दिया है और वह अखबारों में छपा है, मेम्बर साहब उसे देख सकते हैं। उस में तो इस बात की चर्चा नहीं है। पदों के पीछे क्या बातें हुई हैं इसका मैं क्या जवाब दे सकता हूँ।

Shri S. M. Banerjee (Kanpur): Has the Government of India made it clear to both countries, China and Pakistan, that it repudiates this agreement and that it will not be bound by this agreement at all and India is free to act as it likes?

Shri Jawaharlal Nehru: Yes, Sir; that is clear.

श्री बागडी : अध्यक्ष महोदय, थोड़ा हिन्दुस्तानी में

अध्यक्ष महोदय : आप अपना प्रश्न कीजिये।

श्री बागडी : प्रश्न तो मैं करूंगा लेकिन मेरे खिलाफ यह शिकवा है

अध्यक्ष महोदय : आप सवाल कीजिये।

श्री बागडी : मैं आपके मारफत यह जानना चाहता हूँ कि हिन्दुस्तान की विदेश नीति का पंचशील के आधार पर होने का हमारे प्रधान मंत्री साहब ने सारी दुनिया में ढिंढोरा पीटा है, अब चीन और पाकिस्तान के समझौते के बाद भी क्या क्या उस पंचशील की मुर्दा लाश को जिन्दा रखने का खयाल है या उसे दफनाने का खयाल है ?

Mr. Speaker: That is too wide a question to be answered here.

Shri Hari Vishnu Kamath (Hoshangabad): During the last few months when this rather shady deal was under the consideration of the Governments of China and Pakistan, what

measures were taken by our Government to apprise all friendly countries of the matter that was going on between the two countries—particularly by means of pamphlets, maps, etc.—so as to enlist their support and sympathy for our case and, secondly, are there reasons to apprehend that there are secret clauses in this agreement between Pakistan and China?

Shri Jawaharlal Nehru: The fact that we placed this matter before the Security Council was an attempt on our part not only to reach the Security Council but all the members thereof. They are perfectly aware of it.... (Interruptions).

Shri Hari Vishnu Kamath: Did our Missions abroad issue maps, etc.?

Shri Jawaharlal Nehru: I could not give whether this was done. But there was no need. Before we knew the details of the clauses and detailed terms of the agreement, it could not have been done. But the major fact remains that this is part of Jammu and Kashmir State which has been in occupation by the Pakistan Government and they are agreeing to a treaty on this illegally occupied border. That is a major fact. Whether you show it on a map or not, it does not carry one very further.

Shri Hari Vishnu Kamath: But one will understand it better.

Shri Jawaharlal Nehru: We did not know till yesterday what the exact position was.

Mr. Speaker: Papers to be laid.

Shri Hari Vishnu Kamath: Sir, the second part of my question remains unanswered

Shri Priya Gupta (Katihar): Sir, I rose thrice but I have not been called.

Mr. Speaker: His name was called but he did not stand up.

Shri Priya Gupta: I was in the process of standing up....

Mr. Speaker: In that process he took too long.

श्री बागड़ी : मेरे सवाल का प्रधान मंत्री जी जवाब देना चाहते थे कि पंचशील पर इसका क्या असर पड़ा है ?

अध्यक्ष महोदय : उस सवाल की मैं ने इजाजत नहीं दी । इस वास्ते प्रधान मंत्री साहब जवाब नहीं दे सकते ।

Shri Hari Vishnu Kamath: Sir, may I again point out that the second part of my question has not been answered. If you rule it out for any reason, it is all right.

Mr. Speaker: Papers to be laid.

Shri Hari Vishnu Kamath: Have you ruled it out, Sir?

Shri Priya Gupta: Sir, I want an opportunity. Is it not the privilege of a Member..... (Interruptions).

Mr. Speaker: There is no privilege at all. Simply because a Member's name is bracketed, he does not get a right nor is an interest created that he must be given an opportunity.... (Interruptions.) Then again, I called him; he did not stand up and then I called the next Member. Papers to be laid on the Table.

12.29 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT ON WORKING AND ADMINISTRATION OF COMPANIES ACT

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): Sir, I beg to lay on the Table a copy of Annual Report on the working and administration of the Companies Act, 1956, for the year ended the 31st March, 1962 under section 638 of the Companies Act, 1956. [Placed in Library. See No. LT-901/63].