

**THE VICE-CHAIRMAN (SHRI SATISH AGARWAL):** This is the consent of the House that a Statement may be laid on the Table of the House. Both these Statements can be laid. Now, regarding the coal matter, you want clarifications. The Minister will be available after we finish these two Bills.

**THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF COAL (SHRI AJIT KUMAR PANJA):** Sir, the point raised is whether the compensation will be paid not in the course of duty, but outside; still the hon. Member knows....(interruptions)...

**THE VICE-CHAIRMAN (SHRI SATISH AGARWAL):** No, no, no. ... (Interruptions)... No, no, please. ... (Interruptions)... Please, no. ... (Interruptions)... No, no, no, please.

**SHRI AJIT KUMAR PANJA:** Just a statement, Sir.

**THE VICE-CHAIRMAN (SHRI SATISH AGARWAL):** No, no, no. Don't take a chance to clarify the position. The same rule is applicable to the Ministers also.

**SHRIMATI MARGARET ALVA:** Sir, his question has gone on record.

**SHRI AJIT KUMAR PANJA:** His point is gone on record. I must say that everybody, five of them have given employment. I must say so.

**SHRI JIBON ROY:** Mr. Vice-Chairman, Sir...

**THE VICE-CHAIRMAN (SHRI SATISH AGARWAL):** You will seek clarifications later on. You please sit down.

**SHRIMATI MARGARET ALVA:** Let them lay the statements.

#### STATEMENT BY MINISTER

**On the Situation in Bosnia-Herzegovina**

**THE MINISTER OF EXTERNAL AFFAIRS (SHRI PRANAB MUKHERJEE):** Sir, I beg to lay a

statement on the situation in Bosnia-Herzegovina on the Table of the House.

#### STATEMENT BY MINISTER

**Dharna by Bihar Colliery Kamgar Union and accident at Dugda Coal Washery of Bharat Coking Coal Ltd. at Dhanbad in Bihar**

**THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI AJIT KUMAR PANJA):** Sir, I beg to lay a statement regarding the dharna by the Bihar Colliery Kamgar Union affiliated to CITU and the accident which took place at Dugda Coal Washery of Bharat Coking Coal Ltd. at Dhanbad in Bihar.

**The VICE-CHAIRMAN (SHRI SATISH AGARWAL):** Now you will seek clarifications later on.

**श्री शंकर दयाल सिंह:** तो उसकी कॉपी तो बंटवा दीजिए यह जो ले किया है।

**THE VICE-CHAIRMAN (SHRI SATISH AGARWAL):** The copy is available. कौपी आपको मिल जाएगी। कॉपी इनको और मैम्बर्स को अवेलेबल करा दीजिए और हिंदी में खास करके।

**Dr. Masthan.** You will get strictly five minutes which I will hereinafter follow. You have to conclude within five minutes.

#### SHORT DURATION DISCUSSION

**On the Prevailing situation in Jammu and Kashmir—Contd.**

**DR. D. MASHTAN (Tamil Nadu):** Mr. Vice-Chairman, Sir, I am very grateful to you for giving me this opportunity to address this august House. This is my maiden speech in this glorious House. I hope the hon. Members in this House will give their kind attention to my maiden speech.

**THE VICE-CHAIRMAN (SHRI SATISH AGARWAL):** Congratulations on your maiden speech.

**डा० डी० मस्तान:** उपसभाध्यक्ष महोदय, मैं इस महिम सदन में चंद वाक्य हिंदी में बोलना चाहता हूँ।

**उपसभाध्यक्ष (श्री सतीश अग्रवाल):** इसके लिए आपको बधाई।

**डा० डी० मस्तान:** ताकि हमारी अजेय नेता डा० पुरबितलैयी की महानता और उदारता के बारे में सब जान सकें। महोदय, इस महिम सदन के प्रति मैं अपनी श्रद्धा व्यक्त करता हूँ और उस महामान्य के प्रति अपने श्रद्धा के सुमन अर्पित करता हूँ जिन्होंने अपने समर्पित जीवन एवं निष्ठा से युक्त अपनी उपस्थिति से इस सदन की गरिमा बढ़ाई।

**उपसभाध्यक्ष महोदय,** कृपा करके मुझे अनुमति दें ताकि मैं अपने नेता के प्रति अपनी कृतज्ञता व्यक्त कर सकूँ जिनकी सदस्यता से मैं इस सदन का सदस्य बना हूँ। यह वही सदन है जिसमें दक्षिण भारत के महान नेता

नेता पेरारिअर अन्ना जिन्हें दक्षिण भारत के गांधी जी और भारत के बर्नार्ड शाॅ कहते हैं, ने बैठ कर तंदई पेरियार के पद चिन्हों पर चलते हुए द्रविड़ लोगों के अधिकारों की हिमाकत की। जैसा कि आप सब लोग जानते होंगे तंदई पेरियार एक ऐसे महान नेता थे जिन्होंने एक गरजते हुए सिंह की तरह पिछड़े हुए और दलित वर्ग के भले के लिए अपना जीवन समर्पित कर दिया। यह वही सदन है जिसमें हमारी लोकप्रिय जन नेता डॉ॰ जे॰ जयललिता जिन्हें पुरच्चितलैवी माने क्रांतिकारी नेता के नाम से जाना जाता है, ने अपना राजनीतिक भविष्य बनाया और तंदई पेरियार, पेरारिअर अन्ना, पुरच्चितलैवी एम॰ जी॰ आर॰ के आंदोलन की योग्य उत्तराधिकारी के रूप में अपने आपको सिद्ध कर दिलाया। हमारी राष्ट्रीय भीष्माचारी महिला शिरोमणि डॉ॰ पुरच्चितलैवी अपनी जनता की जीवन-स्रोत है, द्रविड़ आंदोलन की ज्वलंत मशाल है, तमिल लोगों की आशा की एक किरण हैं जो पूरे देश के लिए जाज्वल्यमान नक्षत्र के समान हैं, जो एक करोड़ ए॰ आई॰ डी॰ एम॰ के कार्यकर्ताओं की पवित्र मां के समान हैं। अगर मुझे भविष्यवाणी करने की अनुमति हो तो मैं यह कह सकता हूँ कि वह दिन दूर नहीं है जब हमारी अजेय नेता डॉ॰ पुरच्चितलैवी इस दिल्ली दरबार में एक महान गौरव प्राप्त करेंगी और इसमें मेरी कुछ भी अतिशयोक्ति नहीं होगी अगर मैं इस अवसर पर यह उल्लेख करूँ कि तमिलनाडु के लोग नैसर्गिक रूप से एक देवी के रूप में इनकी पूजा करते हैं। मैं अपनी नेता द्वारा यहां भेजा गया हूँ ताकि ए॰ आई॰ डी॰ एम॰ के प्रतिनिधि के रूप में आवाज उठा सकूँ। ए॰ आई॰ डी॰ एम॰ के एक ऐसा आंदोलन है जो भारतीय संविधान द्वारा प्रदत्त स्वतंत्रता एवं अन्य अधिकारों की स्थापना के लिए सदैव प्रयत्नशील है। मैं पुनः अपनी नेता डॉ॰ पुरच्चितलैवी के दिव्य चरणों में अपने श्रद्धा के सुमन अर्पित करता हूँ और उस दिशा को भी प्रमाण करता हूँ जिधर हमारी अजेय नेता निवास करती हैं।

Respected Vice-Chairman, Sir, now the silent valley is stormed. The playground of India has become the site of violence and terrorism. The crystal-clear waters of the Kashmir Valley are becoming red and turbulent due to bloodshed. Peace and harmony is fast disappearing. What are the reasons? Who is responsible? The answer is conspicuous. I will mention the factors which, I consider, are involved in the analysis of present situation of Kashmir. One, humane feelings of the

people of Kashmir and their negative financial status and the socio-economic disparity; two, non-existence of a strong popularly elected Government; three, our neighbours, Pakistan and Afghanistan, fomenting problems and trying to promote secessionism and trying to alienate the people; four, dubious attitude of America; and five, the indifferent attitude of the Congress rulers towards the national interest which is of paramount importance than the narrow political gains.

Sir, in an interview with the press on the 7th July, 1995, the hon. Prime Minister made a very strong statement that the Kashmir problem would be solved before the next elections and that it would not become an issue in the next polls. But nothing has been done so far. Not a bit has moved in this direction so far. The real depth of the problems should be explored and solved at the root-cause level and there is no point in doing symptomatic therapy. Until and unless we understand the feelings of the people of Kashmir, the violence, the kidnappings and blowing up of shrines and bridges can never be prevented. Nowadays, more than anything else, kidnapping has become the most favourite method of fight and this method seems to bring a lot of publicity. Kidnapping of innocent people is like a living death and is highly condemnable.

The economy of Kashmir is in a shambles. . Actually, the distresses of the desperate people of Kashmir and their negative economy has formed the no dus for all the chaos and confusion which have been enlarged to become responsible for today's prevailing situation in Kashmir. The people of Kashmir are not able to believe that they are also a part of this country. They are not able to integrate and identify themselves with the rest of the people because of the indifference exhibited towards them.

The Congress rules have always been keen on preventing any local leader of Kashmir becoming popular and powerful

and, at one stage or the other, any such leader emerging popular and powerful has been toppled. The Congress party has been consistently interested in casting only its own shadows, and it has failed to have a humanitarian approach towards the problems of Kashmir with a healing touch. There is no industrial growth. There is no developmental infrastructure in Kashmir. Why is this step-motherly treatment towards the people of Kashmir? I do not know whether they wanted to keep the people of Kashmir in a condition of political quarantine. Even if there was a small amount of reluctance and difference of opinion among a very few sections of the people of Kashmir, we should not have dealt with them with a jaundiced eye. We should make the people of Kashmir mingle with the rest of the people in the country with confidence.

The Government of Pakistan always tries to divert the attention of its people towards this emotional and vexatious issue whenever it is in internal trouble and crisis. Pakistan has been holding bilateral talks reluctantly, probably only for keeping the members glowing without cooperating to produce any tangible results. Pakistan never pays any attention to its economic development; its one and only obsession seems to be Kashmir.

I wonder whether the obsession is confined only to the rulers of Pakistan or it is an all-prevailing national aberration. It has been the wish of America, ever since the completion of the Second World War and its emergence as a super power, to maintain a gap between herself and other countries with the help of the 'Theory of Power Balance' invented by John Foster Dulles. America has always been intervening in the international issues and trying to play its role as an international policeman. I feel that the dubious attitude of America is further complicating the issues and it should adopt a balanced towards both the countries. I don't think America will have any special vested interest in making

Pakistan its nursed baby. America should not suspect the Non-Alignment Policy of India and it should come forward to settle the issue of Kashmir keeping in mind that Kashmir has unequivocally acceded to India. After all, we have now started inviting the big American business sector to help us in the development of industries and various other technologies. Nobody would like to die at the age of 18 or 20. But, still we see and hear that the youth in Kashmir are becoming militants and they are prepared to die.

In that case, is it not our prime duty to understand the real problem and solve it? It requires a lot of patience and a spirit of self-sacrifice to solve the Kashmir problem on the part of the Congress Government and the Congress party which has been in power ever since Independence but for a short space of time. They should not care for their selfishness and the welfare of their party only. They should not further contribute to the fermentation of problems, even inadvertently, by their acts of omission and commission.

Sir, Elections should be immediately conducted in Kashmir without any further delay and steps and measures should be taken to improve the economy of Kashmir, instead of spending huge amounts unnecessarily. We should create belief and faith among the people of Kashmir so that their minds are enabled to intergrate with the rest of the country to maintain unity in diversity.

**उपसभाध्यक्ष (श्री सतीश अग्रवाल):** मि. मस्तान आपको बहुत बहुत बधाई। आपकी पार्टी के नेता स्वामीनाथन जी, जिन्होंने आपको हिन्दी में बोलने की अनुमति दी, आपको भी बहुत बहुत बधाई सदन की तरफ से है। इस तरह का एटीट्यूड आपका जो है इससे मैं सम्मत्ता हूँ कि जो खाई थोड़ी पड़ी हुई है वह दूर हो जाएगी। इससे नेशनल एटीग्रेशन बढ़ेगा। आपकी क्योंकि मेडन स्पीच थी इसलिए मैंने आपको 6 मिनट की जगह 10 मिनट का टाइम दिया।

**श्री जलालुद्दीन अंसारी (बिहार):** उपसभाध्यक्ष महोदय, जम्मू-कश्मीर का मामला बहुत ही गंभीर है और हमारे देश की सार्वभौमिकता, एकता और अखंडता से

जुड़ा हुआ है। लेकिन दुख की बात है और यह कहावत भी है ज्यों ज्यों दवा की तो मर्ज बढ़ता ही गया। मेरा आरोप है कि कांग्रेस सरकार ने कश्मीर की समस्या के हल के लिए जो भी कदम उठाए हैं, उनसे इस समस्या का हल अभी तक नहीं निकला है। चरार-ए-शरीफ की मनहूस, शर्मनाक और दुर्भाग्यपूर्ण घटना के बाद 20 मई को सर्वदलीय संसदीय प्रतिनिधि मंडल जनाब पी.एम.सईद की अध्यक्षता में गया था। मैं भी इस प्रतिनिधिमंडल में था। चरार-ए-शरीफ में हज़ारों लोग थे जो प्रोटेस्ट कर रहे थे। सईद साहब यहां मौजूद हैं। अन्य बातों के अलावा जो तीन बातें उन्होंने कही, मैं उनकी चर्चा आपके सामने करना चाहता हूँ। उन्होंने कहा कि हमें जला दिया गया—वहां सारी चीजें जली हुई थीं, कुछ नहीं था—उन्होंने कहा हमको रिलीफ नहीं मुआवजा दो। वहां गवर्नर भी थे, हम तमाम लोग थे, दूसरी पोलिटिकल पार्टीज के लोग भी थे। श्रीनगर में बताया गया कि एक लाख रुपया केन्द्र सरकार देगी और एक लाख रुपया जम्मू-कश्मीर सरकार देगी। मालूम नहीं यह दो लाख रुपया उनको मिला या नहीं मिला। उनके मकान बन रहे हैं या नहीं बन रहे हैं। यह तो देखना पड़ेगा। जो काम वहां पर होना चाहिए वह नहीं हुआ।

दूसरी बात उन्होंने कही कि तुम अपने को सेकुलर कहते हो। लेकिन तुम हमारी मस्जिद की हिफाजत भी नहीं करते हो, उसको तुड़वा दिया।

तीसरी बात उन्होंने कही कि हमारे जो मसले हैं, हमारी जो तकलीफ है उनको पार्लियामेंट में जाकर उठाओ। मैं अंतिम बात पर जोर देना चाहता हूँ। अभी भी कश्मीर की जनता जो आतंकवादियों के साथ में है, वह आतंकवादियों की डर से उनके खिलाफ बोलती नहीं है, उनके खिलाफ लड़ती नहीं है, यह इसलिए क्योंकि कश्मीर का प्रशासन, केन्द्र सरकार आतंकवादियों के खिलाफ लड़ने वालों के पक्ष में कोई मदद करने को तैयार नहीं है। इसीलिए मैं इस सवाल को उठा रहा हूँ कि उनको भारतीय संसद पर पूरा विश्वास है और मैं कहना चाहता हूँ कि अगर आप कश्मीर की समस्या का हल अच्छी तरह से करना चाहते हैं तो कश्मीर की जनता को विश्वास में लेना पड़ेगा और कश्मीर की जनता को विश्वास में लेने के बाद पोलिटिकल और एकानामिक, राजनैतिक और आर्थिक पैकेज आपको देना होगा। आर्थिक पैकेज का क्या मतलब है, इसके लिए आप राजनैतिक दलों के लोगों को बिठाइए। आज जो आर्थिक हालात कश्मीर की जनता की है, नौजवान आज बेरोज़गार हैं, उनको नौकरी नहीं मिल रही है। उन नौजवानों के लिए नौकरियों और रोज़गार की व्यवस्था करने के लिए आपके पास एक स्कीम होनी चाहिए, ठोस योजना होनी चाहिए। दूसरी बात, जो लोगों के धंधे थे, वह आतंकवादियों के आतंक के कारण ठप पड़े हैं। उनके

घरेलू उद्योगों का खड़ा करने के लिए केन्द्र सरकार की तरफ उनको आर्थिक मदद दी जानी चाहिए ताकि वह अपना रोज़गार शुरू कर सकें। हमारे भाजपा के मित्र हमेशा कहते हैं कि संविधान की धारा 370 को खत्म कर दीजिये। यही है कश्मीर की समस्या को हल करने के लिए गड़बड़। हम उनसे कहना चाहते हैं कि संविधान की धारा 370 ही है जिसकी बुनियाद पर कश्मीर भारत के साथ है और भारत के साथ रहेगा और उसको कभी अलग नहीं किया जा सकता है। अगर उसको आप खत्म कर देंगे तो आपको और भी नुकसान होगा। इसलिए वहां पर संविधान की धारा 370 के तहत कश्मीरी जनता की कुछ इच्छाएं और आकांक्षाएं हैं जो हिन्दुस्तान के दूसरे हिस्सों में भी हैं कि उनको कुछ आटोनामी दी जाए, कुछ स्वायत्तता दी जाए। मैं भारत सरकार से कहना चाहूंगा गृह मंत्री जी दोनों मौजूद हैं उनसे कहना चाहूंगा कि उनकी इच्छाओं के अनुरूप धारा 370 के तहत कुछ स्वायत्तता देने पर राजनीतिक दलों से भी विचार किया जाए। मैं यह नहीं कहता कि आप अभी कीजिये लेकिन कुछ विचार तो कीजिये। कश्मीर की समस्या के हल के लिए इकोनॉमिक और पोलिटिकल पैकेज का एलान करना चाहिए। दुख की बात है कि साढ़े चार साल बीत गये, जहां तक मेरी जानकारी है प्रधानमंत्री जी अभी तक न जम्मू गये हैं और न कश्मीर गये हैं। मुल्क के दो प्रधानमंत्री कश्मीर नहीं गये। बहुत चिंता हो रही है कश्मीर की समस्या के हल करने के लिए लेकिन कश्मीरी जनता की बात को सुनने के लिए कश्मीर नहीं गये। आपको डर है कि वहां जाएंगे तो मारे जाएंगे। कश्मीर के लिए इस देश के लिए कितने लोगों ने जान दी थी जब देश आज़ाद हुआ था और अभी भी जान दे रहे हैं। इसीलिए जान जाने के डर से अपने को इस समस्या से अलग कर के कभी चतुर्वेदी जी को भेजते हैं, कभी किसी और को वे इस समस्या का क्या हल करेंगे? आप स्वयं जाइये। वहां के लोगों से बात कीजिये। ऐसे गवर्नर को आपने वहां भेजा है जो वहां के राजनीतिक दलों से बात नहीं करता। मेरा सुझाव है कि आप एकमुश्त आर्थिक और राजनीतिक पैकेज घोषित कीजिये। तमाम राजनीतिक दलों से राय ले लीजिये और उनका कन्सेंस ले लीजिये। अभी जो मौजूद राज्यपाल और उनके एडवाइज़र हैं वे इस समस्या को हल नहीं कर सकते हैं। उनको हटाइये और राजनीतिक समाधान के लिए किसी सक्षम राजनीतिक व्यक्ति को भेजिये जिसके माध्यम से सही मायने में वहां की जनता को विश्वास में लेते हुए उनकी समस्याओं को हल करते हुए कश्मीर समस्या का समाधान सही तरीके से निकाला जाए। यही मेरा सुझाव है।

**उपसभाध्यक्ष (श्री सतीश अग्रवाल):** श्री सत्य प्रकाश मालवीय।

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश): उपसभाध्यक्ष महोदय, मैं कोशिश करूंगा कि आपको घंटी न बजानी पड़े।

उपसभाध्यक्ष (श्री सतीश अग्रवाल): मैं इसके बाद आपको यहां बैठाने वाला हूं। पेनल आफ वाइसचेयरमैन में से कोई है नहीं। मैं बार बार टेलीफोन करके जो अपने प्रोग्राम फिक्स्ड-आप हैं, उनको पोस्टपोन कर रहा हूं। टी-वी की रिकार्डिंग है, उसको भी पोस्टपोन कर रहा हूं। बताइये मैं क्या करूं? मैं तो लाचार हूं।

THE VICE-CHAIRMAN (SHRI SATISH AGARWAL): Generally, hon. Members seek protection from the Chair, but now I seek protection from them.

श्री सत्य प्रकाश मालवीय: मैंने कहा कि आपको घंटी नहीं बजानी पड़ेगी, मैं टाइम पर खत्म करेगा। कश्मीर का प्रश्न एक राष्ट्रीय प्रश्न है क्योंकि हमारे देश की राष्ट्रीय एकता, अखण्डता और सार्वभौमिकता से जुड़ा है। लेकिन यह दुख का विषय है कि अंग्रेजों के ज़माने में जितनी जगह कश्मीर में थी, वह घटते घटते बराबर घट गई है, हमारे कब्जे में नहीं है। कुछ जगह 1947-48 में निकल गई, कुछ जगह 1962 में निकली गई और कुछ जगह पाकिस्तान ने चीन को गिफ्ट कर दी।

इसलिए आज इस देश की जनता को बहुत ही शक है कि वाकई में कश्मीर की समस्या का सुलझाव होगा कि नहीं होगा। आज कश्मीर की समस्या सुलझने की बजाए उलझ रही है।

मेरे केवल 4-5 सुझाव हैं क्योंकि समय की कमी है। एक तो यह है कि कश्मीर से राज्य सभा और लोकसभा में कोई प्रतिनिधि नहीं हैं, कोई रिप्रेजेंटेशन नहीं है लोक सभा में हो नहीं सकता है क्योंकि वहां चुनाव नहीं हो पा रहे हैं लेकिन राज्य सभा में कुछ सीटें खाली होने वाली है जो राष्ट्रपति द्वारा नामांकित होगी प्रधान मंत्री जी की सलाह पर। मेरा एक सुझाव है—किसी को भी नामांकित करें मैं उस बहस में नहीं जाना चाहता लेकिन इस बात का ख्याल किया जाए कि जब भगला नामांकन हो तो राज्य सभा में जम्मू कश्मीर को निश्चित रूप से प्रतिनिधित्व दिया जाए।

दूसरा, वहां के जो राज्यपाल महोदय हैं उनको सिविल एडमिनिस्ट्रेशन से बिल्कुल भी मतलब नहीं है, न जनता से ही मिलते हैं। हेलीकाप्टर से एक जगह से

दूसरी जगह जाया करते हैं। अभी तबलीन सिंह वहां गयी हुई थीं। उनकी रिपोर्ट श्रीनगर के सिविल एडमिनिस्ट्रेशन के बारे में है, विच आई कोर्ट। वे एक बहुत ही प्रोमीनेंट जर्नलिस्ट हैं—

“Srinagar already resembles a town in terminal disrepair, the streets are filthy with uncontrolled garbage heaps and sandbags, roads have not been rebuilt in years, electric supplies are erratic if there are at all, and the worst flood in more than 20 years have swallowed up whole areas. They have also killed nearly a hundred people and washed away crores of rupees worth of crops but these things do not matter to the civil administration.”

अब यह सच है कि नहीं मैं नहीं जानता हूं लेकिन चूंकि बहुत डी प्रोमीनेंट जर्नलिस्ट हैं इसलिए अगर इसका एक अंश भी सत्य है और वहां जो कुछ भी हो रहा है पालिटिकल लेवल पर तो जनरल कृष्ण राव की बजाए वहां किसी योग्य राजनीतिज्ञ को ही भेजा जाना चाहिए। उनको तो तुरंत ही हटा देना चाहिए क्योंकि दो रावों के बीच में कश्मीर का मामला उलझता जा रहा है। एक तो प्रधान मंत्री जी के पास समय नहीं है। अच्छे भले गृह मंत्री जी देख रहे थे। प्रधान मंत्री के पास समय नहीं है लेकिन कश्मीर विभाग को अपने पास ले लिया तो मेरा सुझाव है:

उपसभाध्यक्ष (श्री सतीश अग्रवाल): अच्छे भले देख रहे थे या अच्छे भले गृह मंत्री देख रहे थे।

श्री सत्य प्रकाश मालवीय: मैंने कहा कि अच्छे भले गृह मंत्री देख रहे थे।

तीसरा, कश्मीरी पंडितों का सवाल है। जवाहर लाल नेहरूजी भी कश्मीरी पंडित थे उनके पुरखे वहां से दिल्ली आए, दिल्ली से कन्नपुर गए और कन्नपुर से इलाहाबाद आकर बस गए... (व्यवधान) लेकिन आज कश्मीरी पंडित जम्मू के कैम्प में हैं। मुझे उन्हें देखने का झोका मिला कि वे किस दुर्दशा में हैं। दिल्ली और अन्य स्थानों में भी है। तो कश्मीरी पंडितों का आप इस बात का विश्वास दीजिए कि एक दिन ऐसा आएगा जबकि उनकी प्रांत की जो उनकी जन्म भूमि है वहां पर वे जा सकेंगे।

यह जो संविधान का अनुच्छेद 370 है इसके बारे में भी मैं कहना चाहूंगा कि इस देश की यह ऐतिहासिकता है, राष्ट्र की ऐतिहासिकता है। हमारा

कमिटमेंट है और जब इंडुमेंट आप एक्सेशन हुआ था तो शेख अबदुल्ला ने इंडुमेंट आफ एक्सेशन को सपोर्ट भी किया था। तो यह हमारी ऐतिहासिक आवश्यकता है। इसलिए अभी आर्टिकल 370 को हटाने की बात को नहीं रखना चाहिए।

अंतिम मेरा सिर्फ यह कहना है कि वहां एक सर्वदलीय सलाहकार समिति आपने गत वर्ष बनायी थी। सर्वदलीय समिति सभी की सलाह से बनायी थी लेकिन उसकी एक भी बैठक नहीं हुई है। उसका कार्यकाल समाप्त हो गया है। तो कैसे पोलिटिकल प्रोसेस शुरू होगा। इस ओर ख्याल करें। धन्यवाद। देखिए मैंने आपका घंटी बजाने नहीं दी।

**उपसभाध्यक्ष (श्री सतीश अग्रवाल):** लेकिन मैं आगे की तरफ बढ़ने लगा तो आप समझ गए। वह घंटी से भी ज्यादा है।

**श्री ईश दत्त यादव (उत्तर प्रदेश):** उपसभाध्यक्ष जी, मैं भी बहुत अनुशासित सदस्य हूँ और आपको घंटी बजाने की आवश्यकता नहीं पड़ेगी।

**[उपसभाध्यक्ष (श्री वी० नारायणसामी) पीठासीन हुए]**

मान्यवर, जम्मू और काश्मीर की समस्या दिन प्रति दिन अत्यंत गंभीर होती जा रही है। संवेदनशील और चिंताजनक हो गयी है। काश्मीर देश का ही नहीं धरती का स्वर्ग कहा जाता है वह आज संकट में फंसा हुआ है। इसके लिए मान्यवर, मैं सीधे-सीधे भारत सरकार को जिम्मेदार मानता हूँ। हाँ ज्यादा विस्तार में नहीं जाना चाहता। लेकिन मेरे और मेरे दल का यही स्पष्ट मत है कि भारत सरकार, इस देश के प्रधान मंत्री, काश्मीर की समस्या को हल नहीं करना चाहते हैं न इनके पास कोई इच्छा शक्ति है और न कोई इनकी विचारधारा है काश्मीर समस्या हल करने के लिए। अभी मालवीय जी और दूसरे माननीय सदस्यों ने कहा है। मैं इस बात से सहमत हूँ कि गृह मंत्री जी काश्मीर की समस्या देख रहे थे, हल कर रहे थे। गृह मंत्री जी की निष्ठा में और इनके काम करने की शैली में मुझे संदेह नहीं है। मैं इनकी प्रशंसा करता हूँ लेकिन दूसरे छोटे मंत्री बीच में आए। क्या शगड़ा हुआ इसका हम लोगों से कोई मतलब नहीं है।

लेकिन प्रधान मंत्री जी ने अपने पास यह विभाग रख लिया और प्रधान मंत्री जी को फुर्सत नहीं कि काश्मीर की समस्या पर वह कोई चिंतन कर सकें। काश्मीर की समस्या का कोई हल निकाल सकें। मान्यवर, आज स्थिति क्या है मैं इसके विस्तार में भी नहीं जाना चाहता,

चार विदेशी पर्यटकों का अपहरण हुआ। नावें का पर्यटक उसकी हत्या हो गई और आज यह निकम्मी सरकार, कमजोर सरकार और इच्छा-शक्ति रहित सरकार उन चार पर्यटकों को जो आज भी बचे हुए हैं, आज भी उनका पता नहीं लगा सकी। मैं समझता हूँ सरकार स्वयं उग्रवादियों से भयभीत है। मैं उदाहरण देना चाहता हूँ इच्छा शक्ति का और काम करने के तरीके का, कुछ महीने पहले संभवतः दिल्ली से तीन विदेशी पर्यटकों का अपहरण हुआ। गाजियाबाद में पता चला और उत्तर प्रदेश के एक जिले में पता चला। दिल्ली से दस किलोमीटर की दूर पर जहाँ उत्तर प्रदेश की सीमा है, उत्तर प्रदेश का साहिबाबाद थाना है, वहाँ का एस०एच०ओ० ध्रुव लाल यादव प्राण की बाजी लगा करके गया और दो बजे रात को तीनों विदेशी पर्यटकों को अपहरणकर्ताओं के चुंगल से बचा लिया, यद्यपि विदेशी पर्यटकों की जान तो उसने बचा लिया उस बहादुर दारोगा ने, लेकिन वह और उसका साथी एक सिपाही दोनों जान से वहाँ मारे गए। इस तरह ये इच्छा शक्ति होती है। उत्तर प्रदेश में मुलायम सिंह यादव उस समय मुख्य मंत्री थे। किसी तरह से बरामद हो गए। दुनिया के अन्दर हमारा सम्मान बढ़ा, अमेरिका में, इंग्लैंड में जहाँ के वे विदेशी पर्यटक थे। आज सरकार क्या कर रही है, मैं जानना चाहता हूँ गृह मंत्री जी से, लेकिन गृह मंत्री जी की विवशता होगी क्योंकि यह विभाग प्रधान मंत्री जी के जिम्मे है। प्रधान मंत्री जी उसका अपरेशन कर रहे होंगे, प्रधान मंत्री जी संचालन कर रहे होंगे, इसलिए मैं मान्यवर, फिर दोहरा रहा हूँ कि इस सरकार के पास काश्मीर की समस्या का कोई निराकरण करने के लिए, कोई हल करने के लिए, कोई इच्छा शक्ति नहीं है। इसलिए मैं सुझाव देना चाहता हूँ। आपने घंटी बजा दिया। मैं सुझाव देना चाहता हूँ, आप चुनाव क्यों नहीं कराते हैं? आप रोज़ कहते हैं कि काश्मीर भारत का अविभाज्य अंग है। इस नारे से काम नहीं चलने वाला है। आप चुनाव कराइये। आपने आसाम में चुनाव कराया था, आपने पंजाब में चुनाव कराया था, बंदूक की नोक पर आपने चुनाव जरूर कराये थे, मिलिट्री की मदद से कराया था। आसाम की समस्या हल हो गई, पंजाब की समस्या हल हो गई, आज काश्मीर की समस्या हल करना चाहते हैं तो काश्मीर में आप चुनाव तुरन्त कराइये। इसका राजनैतिक हल ढूँढिए, गृह मंत्री जी, और वहाँ की जो आर्थिक स्थिति खराब हो रही है उस स्थिति के ऊपर भी आपने कभी ध्यान नहीं दिया। वहाँ का नौजवान जो बेकार हो रहा है उस पर आपने ध्यान नहीं दिया। पाकिस्तान प्रशिक्षित उग्रवादियों को काश्मीर के

अंदर भेज रहा है, आप क्यों इतनी कमजोरी दिखा रहे हैं? आपके पास हाथ नहीं है, आपके पास सेना नहीं है, आपके पास हथियार और शक्ति नहीं है?  
...(व्यवधान)

**उपाध्यक्ष (श्री वी० नारायणस्वामी):** काईडली कन्वल्ड।

श्री ईश दत्त यादव: पाकिस्तान प्रशिक्षित उग्रवादियों को देश के अंदर भेज रहा है और आप उनको रोक नहीं सकते हैं, मुक़ाबला नहीं कर सकते हैं। मान्यवर, आप दो बार घंटी बजा चुके हैं, मैं अपनी बात समाप्त करते हुए पुनः अनुरोध करना चाहता हूँ गृह मंत्री जी के माध्यम से भारत सरकार और देश के प्रधान मंत्री जी से कि कारगरता और नपुंसकता त्यागना पड़ेगी तभी काश्मीर बच सकेगा, वरना काश्मीर के लिए इस समय संकट पैदा हुआ है और आप देश के प्रधान मंत्री हैं, इसलिए काश्मीर को बचाइये। मेरी यही आपके माध्यम से अपील है। बहुत-बहुत धन्यवाद।

लेकिन प्रधान मंत्री जी ने अपने पास यह विभाग रख लिया और प्रधान मंत्री जी को फुर्सत नहीं कि काश्मीर की समस्या पर वह कोई चिंतन कर सकें। काश्मीर की समस्या का कोई हल निकाल सकें। मान्यवर, आज स्थिति क्या है मैं इसके विस्तार में भी नहीं जाना चाहता, चार विदेशी पर्यटकों का अपहरण हुआ। नार्वे का पर्यटक उसकी हत्या हो गई और आज यह निकम्मी सरकार, कमजोर सरकार और इच्छा-शक्ति रहित सरकार उन चार पर्यटकों को जो आज भी बचे हुए हैं, आज भी उनका पता नहीं लगा सकी। मैं समझता हूँ सरकार स्वयं उग्रवादियों से भयभीत है। मैं उदाहरण देना चाहता हूँ इच्छा शक्ति का और काम करने के तरीके का, कुछ महीने पहले संभवतः दिल्ली से तीन विदेशी पर्यटकों का अपहरण हुआ। गाजियाबाद में पता चला और उत्तर प्रदेश के एक जिले में पता चला। दिल्ली से दस किलोमीटर की दूर पर जहाँ उत्तर प्रदेश की सीमा है, उत्तर प्रदेश का साहिबाबाद थाना है, वहाँ का एस०एच०ओ० ध्रुव लाल यादव प्राण की बाजी लगा करके गया और दो बजे रात को तीनों विदेशी पर्यटकों को अपहरणकर्ताओं के चुंगल से बचा लिया, यद्यपि विदेशी पर्यटकों की जान तो उसने बचा लिया उस बहादुर दारोगा ने, लेकिन वह और उसका साथी एक सिपाही दोनों जान से वहाँ मारे गए। इस तरह से इच्छा शक्ति होती है। उत्तर प्रदेश में मुलायम सिंह यादव उस समय मुख्य मंत्री थे। किसी तरह से बरामद हो गए। दुनिया के अन्दर हमारा सम्मान बढ़ा, अमेरिका में, इंग्लैंड में जहाँ के वे विदेशी पर्यटक थे।

आज सरकार क्या कर रही है, मैं जानना चाहता हूँ गृह मंत्री जी से, लेकिन गृह मंत्री जी की विवशता होगी क्योंकि यह विभाग प्रधान मंत्री जी के जिम्मे है। प्रधान मंत्री जी उसका आपरेशन कर रहे होंगे, प्रधान मंत्री जी संचालन कर रहे होंगे, इसलिए मैं मान्यवर, फिर दोहरा रहा हूँ कि इस सरकार के पास काश्मीर की समस्या का कोई निराकरण करने के लिए कोई हल करने के लिए, कोई इच्छा शक्ति नहीं है। इसलिए मैं सुझाव देना चाहता हूँ। आपने घंटी बजा दिया। मैं सुझाव देना चाहता हूँ, आप चुनाव क्यों नहीं कराते हैं? आप रोज़ कहते हैं कि काश्मीर भारत का अविभाज्य अंग है। इस नारे से काम नहीं चलने वाला है। आप चुनाव कराइये। आपने आसाम में चुनाव कराया था, आपने पंजाब में चुनाव कराया था, बंदूक की नोक पर आपने चुनाव जरूर कराए थे, मिलिट्री की मदद से कराया था। आसाम की समस्या हल हो गई, पंजाब की समस्या हल हो गई, आज काश्मीर की समस्या हल करना चाहते हैं तो काश्मीर में आप चुनाव तुरन्त कराइये। इसका राजनैतिक हल ढूँढ़िए, गृह मंत्री जी, और वहाँ की जो आर्थिक स्थिति खराब हो रही है उस स्थिति के ऊपर भी आपने कभी ध्यान नहीं दिया। वहाँ का नौजवान जो बेकार हो रहा है उस पर आपने ध्यान नहीं दिया। पाकिस्तान प्रशिक्षित उग्रवादियों को काश्मीर के अंदर भेज रहा है, आप क्यों इतनी कमजोरी दिखा रहे हैं? आपके पास हाथ नहीं है, आपके पास सेना नहीं है, आपके पास हथियार और शक्ति नहीं है?  
...(व्यवधान)

**उपाध्यक्ष (श्री वी० नारायणस्वामी):** काईडली कन्वल्ड।

श्री ईश दत्त यादव: पाकिस्तान प्रशिक्षित उग्रवादियों के देश के अंदर भेज रहा है और आप उनको रोक नहीं सकते हैं, मुक़ाबला नहीं कर सकते हैं। मान्यवर, आप दो बार घंटी बज चुके हैं, मैं अपनी बात समाप्त करते हुए पुनः अनुरोध करना चाहता हूँ गृह मंत्री जी के माध्यम से भारत सरकार और देश के प्रधान मंत्री जी से कि कारगरता और नपुंसकता त्यागना पड़ेगी तभी काश्मीर बच सकेगा, वरना काश्मीर के लिए इस समय संकट पैदा हुआ है और आप देश के प्रधान मंत्री हैं, इसलिए काश्मीर को बचाइये। मेरी यही आपके माध्यम से अपील है। बहुत-बहुत धन्यवाद।

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** Shri Jagmohanji

kindly be very brief because we are running out of time.

SHRI JAGMOHAN: Sir, I will be very brief as you say.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): You give the points, therefore, I am telling you.

SHRI JAGMOHAN: I will give the points. If you kindly lend me your ears, I will be very brief. Sir, since I have to be brief, my only major point is that in spite of the fact that this problem has been with us for a number of years now, after hearing all that, I still feel that there is a very superficial understanding about Kashmir. It really pains me to see that instead of making any study in depth, we have gone by the superficial situation. For example, here it was mentioned that money was not being paid or less money was being paid or what the rate of growth was or what this or that was. Because we do not have time, I will just correct one thing. There are so many wrong notions spreading about Kashmir, and they are standing in the way of solution because the public is getting wrong signals. I have got 20 pages here, but I will just mention two or three points which show how wrong notions, wrong impressions are there in the minds of even very knowledgeable persons. Take the Reserve Bank Bulletin. I am not quoting my figures. I am quoting from the Reserve Bank Bulletin of 1993-94. The *per capita* Central assistance for the year 1993-94 was Rs. 2,291/- for the State of Jammu and Kashmir, as against Rs. 192/- for Bihar. And for Tamil Nadu—my distinguished friends say that no money is being given, nothing is being done—it was only Rs. 233/-. Just compare the figure of Rs. 233/- with Rs. 2,291/-. Still, it was being said the other way round. Just imagine the difference. You see West Bengal...

SHRI JAGESH DESAI: Area should also be taken into account.

SHRI JAGMOHAN: I am quite aware of the area also. I am giving the *per*

*capita* figures. These are the comparative figures that the Reserve Bank gives, the Finance Ministry gives, the Planning Commission gives. (*Interruptions*)

SHRI JAGESH DESAI: You take the area also.

DR. BIPLAB DASGUPTA: Don't compare like that. What about Nagaland? What about Sikkim? What does it mean? (*Interruptions*)

SHRI JAGMOHAN: Please listen to me. (*Interruptions*) Sir, this should be deducted from my time. I will come to that point also.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): You don't answer them. You make your points.

SHRI JAGMOHAN: But they are interrupting me.

So, I am not saying that you should give less or so. I am only saying that there is a wrong notion, a wrong impression that is going on. Take the Finance Commission. The Finance Commission is a statutory today. All these figures are taken into account when the first formula was there, the Gadgil formula and all that. I do not want to go into that because it will take time. I am only asking: What is the Central assistance being given? Just imagine now. The State of Jammu and Kashmir, according to the old formula was getting 70 per cent loan and 30 per cent grant. After the insurgency, it is getting 90 per cent grant and 10 per cent loan. This is one of the most liberal treatments that has been given to any State in the country. In fact, my grievance is this. When people talk that you should give autonomy, I shudder to think what will happen to Kashmir if you give the so-called autonomy because financial integration is the most important aspect. And 100 per cent of the Plan expenditure is met by the Central assistance and 40 per cent of the Non-Plan expenditure is also met by them. And if you give the so-called autonomy, and if you stop this, they will not have even money to pay to

their existing staff. So many times I have heard of the 1953 status. Not only the jurisdiction of the Supreme Court will go, but the Auditor-General's jurisdiction will also go, and even article 356 will go. How will you run the State if there is a breakdown in the Administration? Take, for example, land acquisition. If the Collector refuses to give land to you, how will the Army set up its own establishments? Therefore, Sir, there are certain practical realities which nobody is taking into account. You are creating wrong notions, wrong aspirations. Previously, the same thing was done and we created this problem.

Sir, in 1975, Mrs. Gandhi signed the Agreement. I would ask you: Can you tell me any one thing which is not in the interest of the people of Jammu and Kashmir? Is here anything which we have extended to the State of Jammu and Kashmir which is not on the interest of the people of the State? Tell me one thing. There is nothing absolutely. Should we not extend labour legislations to that State? Should we not extend other beneficial legislations to that State?

The point is made that is very necessary to maintain the cultural identity of the State. There is no State in the Indian Union whose cultural identity has not been maintained. Take the case of Bengal. Take the example of any other State. Are the Constitutional provisions not sufficient to protect the cultural and linguistic rights of the people in the various States? why is it that you are creating this? (*Time-bell*)

I will be finishing, Sir. I know you have no time to listen to this type of thing. One last point I would like to make. I want to correct the impression. I do not want to take the time of the House by referring to my ten-point strategy. I have talked about this earlier. I would not refer to even the point to this ten-point strategy because there is no time. And that is the biggest problem in regard to Kashmir. Those who know about the State and, therefore, want to

talk about it are not given time. They do not get any audience.

Now, about article 370. I would suggest that one should be a little objective. There is nothing which is dreaded in the world. I am saying from my operational experience in Kashmir during my first term as well as during my second term there. What has happened behind this article 370, behind the protective wall of article 370? What happened to the financial assistance that was given? A corrupt and callous oligarchy developed in Jammu and Kashmir, behind this protective wall. Whatever money you gave, it did not go to the poor. In fact, it is against all the political philosophy which you are talking about. Whatever money was given never went to the common people. This was the result. Thereafter, in 1986, I demonstrated that the financial assistance was more than sufficient. Sir, within a period of six months, 722 schools were opened. So many things were done. We got cleaned the roads. Many things were done. It is all in record. There is evidence, documentary evidence. It was appreciated by the national media, the Urdu media and others. The people who are now injecting poison were the very people who were saying that the Governor had done this and that. (*Time-bell*)

As I said, Sir, the money was sufficient. Something else was the reason. That something else was done under the protective wall of article 370. The issue, Sir, is the misuse of article 370. It is not a political point. It is the real point for solution of the Kashmir problem. What is your experience since the insurgency started in 1989? Mr. Virendra Kataria also drew your attention. Mr. Ahluwalia also referred to it. He started by referring to the kidnapping of Mr. Ravindra Mhatre and his subsequent killing. He referred to the reason behind it. So many things have happened. But nobody is bothered to go into these things.

My point is that article 370 is now being misused by the pro-Pakistani

elements to create internal disorder and internal rebellion and also the facilitate external aggression. But you are helpless because they are misusing this article. There is also another provision in our Constitution. We have article 355. What does article 355 say? It says that it is the duty of the Union to protect the States if there is external aggression, if there is internal rebellion. Under that article, you have to discharge your Constitutional duty. i.e. of protecting the State from external aggression and internal rebellion. (*Time-bell*) When you talk about article 370, the article should not be read in isolation. It has to be read with article 355. It is your bounden duty. In view of your experience, in view of the fact that exploitation has been taking place behind this protective wall of article 370, it is your duty. we should not forget the provision of article 1. "India, i.e. Bharat, shall be a Union of States"—in-alienable.

As I was mentioning earlier, I had suggested a ten-point strategy. Since you have no time to listen to it, I would not refer to it.

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** You have no time, Your time is very limited.

**SHRI JAGMOHAN:** Thank you, Sir.

6.00 P.M.

**SHRI VIZOL (NAGALAND):** Mr. Vice-Chairman, Sir, I am very happy that time is given to me to speak on the prevailing situation in Jammu and Kashmir. while speaking a few words on Jammu and Kashmir, I would like to refer to the North-East also.

The North-East and Jammu and Kashmir are situated on the chain of the Himalayan mountain range.

**SHRI G. SWAMINATHAN:** Sir, on a point of clarification. The Treasury Benches are all empty. You please see to it that some ruling party Members are also there. Otherwise we feel lonely in this House.

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** Every Member does like this. I don't want to make any comment.

**SHRI VIZOL:** Sir, Jammu and Kashmir and Nagaland in the North-East are given certain privileges. Under the provisions of article 370 for Jammu and Kashmir and article 371 for Nagaland, they are enjoying these privileges. I am very happy to hear this from my friend, Mr. Jagmohan. while these privileges are being enjoyed by these two States, who does the trouble continue till date?

Nagaland was created about 35 years ago. The trouble started before Nagaland was created. The Government of India thought that if certain facilities and privilege were given to the Naga people, they would be satisfied and there would be no trouble. But they were mistaken. Why? Because the State of Nagaland was created only be negotiating with those who had no differences with India. Those who had differences continued to fight in the jungles. They became frustrated and there was a struggle for a certain thing, which they called self-determination. They were ignored and people who were lured by office were offered power and money and they were taken for discussions and negotiations, even including political parties which were not competent ever for negotiations. But they were taken behind the back of those people who were fighting, and a settlement was made.

I am happy that a separate State has been given to us. But all these 35 years the trouble has been continuing. Now the situation in Nagaland and the North-East has gone out of hand. People have gone to different fora of the international community also. Insurgents are situated in the north-eastern States. First it was Nagaland and then Manipur. Now it is the turn of Assam. A news item published only day before yesterday is here: It was Nagaland and Manipur, now it is the turn of Assam. Perhaps it is true, because trouble is already brewing there. It will become worse as the years roll by,

because these people have been termed as hostiles, terrorists and insurgents. All these names were given to them and, for the welfare of the State and the welfare of the country, none of them was taken into confidence.

Now we are talking about elections in Kashmir. As the situation there conducive for holding elections? If elections are held, will that solve the problem?

Will fair and free elections be held? If we hold elections at this moment, we will be making a mockery of ourselves. This is what I feel. This is my own perception about the situation.

Now, about the North-east, I will take a few minutes more.

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** No. Only one minute.

**SHRI VIZOL:** everyone of the seven sister States of the North-East has been affected by insurgency and militancy. The militants are having their own governments. They are imposing taxes, levying taxes and collecting taxes. They are collecting traffic tax, toll tax, house tax, income tax and sale tax from shops. They are collecting all these taxes everywhere in the North-East. What are the State Government doing? They are not even speaking about this.

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** You have narrated the position well. The hon. Home Minister will reply to those points.

**SHRI VIZOL:** The truth has to be told to the Centre here in Delhi. It should be known to it. *..(Interruptions)*

**श्री शंकर दयाल सिंह:** सर, मैं चेयर का ध्यान दिलाना चाहता हूँ कि दो मंत्री और मात्र तीन मंत्री सत्ताधारी दल के हैं। इतने महत्वपूर्ण विषय पर चर्चा चल रही है।

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** Mr. Shankar Dayal Singh, this is the last day.

**श्री शंकर दयाल सिंह:** महोदय, आपका ध्यान दिलाना चाहता हूँ कि सत्ताधारी दल का रुख क्या है गंभीरता की क्या स्थिति है? किस तरह से सरकार और कांग्रेस पार्टी सोचती है इन समस्याओं पर। केवल इतना ही ध्यान दिलाना चाहता हूँ कि केवल दो मंत्री और कांग्रेस के तीन मंत्री हैं।

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** Thank you very much. Kindly take your seat.

**श्री शंकर दयाल सिंह:** यह रिकार्ड पर आ जाए।

**SHRI CHATURANAN MISHRA:** Are you thanking him from the Chair or are you thanking him from the ruling party? *(Interruptions)*

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** After the Minister's reply you can intervene. Kindly take your seat.

**श्री जगदीश प्रसाद माथुर:** मैं माननीय गृह मंत्री जी का ध्यान दिलाना चाहता हूँ कि एक अखबार में पाकिस्तान की प्रधान मंत्री श्रीमती बेनजीर भुट्टो ने इंटरव्यू दिया है। वह कहती है कि जो चार विदेशी पकड़े हैं वह हिन्दुस्तान के इंटील्लिजेंस डिपार्टमेंट ने पकड़ा हुआ है। मैं और सारा सदन इसके कंडम करता है और आवश्यक हो तो उसका खंडन किया जाना चाहिए। मैं श्रीमान, आपका ध्यान आकर्षित करना चाहता हूँ।

**THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN):** Mr. Vice-Chairman, Sir, I must express my gratitude to all the hon. Members for participating in the discussion and for making very valuable suggestions. I will try to find out how best we can utilise the suggestions which the hon. Members have made here.

First, immediately, last I forgot what the hon. Member, Mathuriji, has said, it is reported in the Press that the Prime Minister of Pakistan seems to have said that these hostages have been taken into custody by the I.B., of India. I can say with full confidence and with all the force at my command that this is total falsehood which the Prime Minister of Pakistan is indulging in.

**SHRI JAGDISH PRASAD MATHUR:** The whole House condemns it.

**SHRI S.B. CHAVAN:** I will request my colleague, Mr. Pranab Mukherjee, to take up this issue at the diplomatic level so that this kind of falsehood is not allowed to spread throughout the international community.

**SHRI KRISHAN LAL SHARMA (HIMACHAL PRADESH):** She has also said, "Al-Faran is also a creation of the Indian Government."

**DR. BIPLAB DASGUPTA:** "It is a baby of the Indian Government."

**SHRI S.B. CHAVAN:** May I bring to the notice of the hon. Members that there are a number of aspects of the Jammu and Kashmir problem'. In fact, it is not that difficult to solve this problem, but there are different interests which are definitely having some kind of a vested interest in this issue, and that is why we have to think a hundred times before we take any step in that direction, which gives an impression as if we are trying to follow a weak-kneed policy which, in fact, is not correct. It gives an impression as if we are trying to follow a weak-kneed policy, which, in fact is not a correct impression. Most of the things which the hon. Members have said, according to me, will have to be taken into account not only in handling the international situation, but also in keeping in view the fact, that after all the Government of India working there through the Governor is a kind of remote control that we are having. The only solution to the problem is to hold elections there. I know that the percentage of the voting there might be low—5 per cent, 3 per cent or 10 per cent—as happened in the case of Assam, but still we will give them an opportunity. Let them hold the elections. I can assure on the floor of this House with a full sense of responsibility that the elections there will be free and fair. I agree with the hon. Leader of the Opposition that

certain people have been sent in the international fora, who say one thing in the international fora and when they come back, they talk of 1953. Whatever they might say of 1953 or 1952 is not binding on us. We will be trying to do whatever is practicable. But I was referring to a different point. As the elections are going to be fair, we can also assure the people of Kashmir that we will not impose any leader from Delhi. It is for the elected people of Jammu and Kashmir to choose their own leader. We are not either in favour or against anyone whomsoever they think is a person who can possibly deliver the goods. Certainly, they are at full liberty to choose their leader. We are not going to impose anyone from Delhi. This is what I want to say.

**SHRI CHATURANAN MISHRA:** Provided they work under the Constitution of India.

**SHRI S.B. CHAVAN:** Of course.

In fact, I was trying to rise and take objection to the hon friend, Mr. Vizol, on the question of right of self-determination. Right of self-determination does not come through the Constitution. It is an extra-constitutional thing. Even if it is Nagaland, I do not think that we can ever agree for any other place, if the people were to ask for self-determination. The question of self-determination neither there, nor in the case of Jammu and Kashmir, can ever arise. There is no question of self-determination by the people of Kashmir. They raise whatever voice they want to, but we are not going to concede this point. I can assure this to the hon. Members.

**SHRI G. SWAMINATHAN:** Sir, there is a canard being circulated that after the elections are over, you will not allow the Government to function as they want to. That also you have to disabuse in the minds of the people.

**SHRI S.B. CHAVAN:** I have made that absolutely clear. Elections will be

fair. The Government of India will also be fair later on without any interference from its side.

**SHRI G. SWAMINATHAN:** No. A canard is being circulated all over the world that the Government of India will not allow that Government to function after the elections are over.

**SHRI S.B. CHAVAN:** After the elections are over, we will give them full freedom. But, at the same time, if they were to violate the provisions of the Constitution, then the whole thing, as it is applicable in the case of other States, will also be applicable in the case of Jammu and Kashmir.

Sir, one point, which hon Member, Jagmohan Ji, has made very clear is that the financial powers given to them have been quite wide. In fact, when I was the Deputy Chairman of the Planning Commission, I had raised this point as to how was it that the non-Plan assistance was also being expected from the Government of India. I said: We are prepared to give you more money for development, but if, for non-Plan purposes, you ask for the money, it cannot be given. But, thereafter there has been a departure. Both Plan and non-Plan money is given to them. So, the figure of 2,000/- is nothing. Actually, if I am not wrong, all the expenditure related to security has been now given to them. This is in addition to what they have already got. On financial ground, only one monitoring team has been appointed for the money which has been given to them. It will be the responsibility of this Monitoring Committee not only to see that the money is spent, but correspondingly they should also see in physical terms whether the results have been achieved or whether the money has been distributed among the people. I have no hesitation in saying that some of the money does go into the hands of terrorists. I cannot deny that fact. We have to create conditions of confidence. If any hon. Member were to say that these people are totally alienated from

us, it is not correct. I can say that it is the fear of the gun which, in fact, comes in the way. People are slowly coming to us. We are trying to redress their grievances. If the Government has not held the meeting of the Advisory Committee, it is wrong on his part. He should have held the meeting of the Committee and reported to the Government of India. Certainly, will report this matter to the Prime Minister to advise the Governor to hold the meeting of the Advisory Committee and see that all the people attend the meeting and let them have an opportunity to put forth whatever grievances they might be having in their minds.

Sir, about the political package, I have to say something. In fact, I would like to be very brief because I am required in the other House also. About the political package, I would like to tell all the hon. Members that they have been saying the same thing in the case of Punjab and they have been saying the same thing in the case of Jammu and Kashmir. Can anyone from them say that he is a real representative of Jammu and Kashmir? Even in the Hurriyat, there are a number of parties who are the constituents of the the Hurriyat. So, whatever the Hurriyat says or what one or two constituents of the Hurriyat were to say, certainly, I cannot possibly say that have an understanding with them and it would be considered as an understanding with the people of Jammu and Kashmir. That is why after the elections are held, we will be very happy to discuss with the elected Government as to what the shape of things should be that they would like to have.

Some hon. Members advised us that recommendations of the Sarkaria Commission should be made applicable in the case of Jammu and Kashmir. I think it will be unfair if we have to just apply only the recommendations of the Sarkaria Commission. We will have to give them something more in order to compensate for the last ten years. Because of

insurgency, they lost everything. The means of livelihood are totally lost. People have nothing to live upon. One or two families might be enjoying the whole thing. But there are a large number of people like ponywalas, boat-housewalas, and there are a large number of other people who could not follow their avocate on. They have lost everything. That is why as a matter which is special to Jammu and Kashmir, we will have to extend some more facilities.

श्री चतुरानन मिश्र: एक मिनट लूंगा। गृह मंत्री जी ने ठीक ही कहा कि अटोमोबी की पूरी बात जब वहां असेम्बली बन जायेगी तब ही हो सकती है। लेकिन कुछ दिशा तो इंगित करनी होगी कि हम आप को यह देंगे। इसके लिए जैसा वह कहते हैं कि गवर्नर नहीं, सदरे रियासत कहेंगे तो इसमें क्या एतराज हो सकता है। वह कहेंगे चीफ मिनिस्टर नहीं वजीर आजम होगा जो पहले भी था, तो इसमें क्या एतराज है। दूसरे आप यह गारण्टी कीजिए कि प्रेजीडेंट रूल के लिए आगे एक और एक्सटेंशन के लिए नहीं आयेगे। विटर से पहले चुनाव करा देंगे सरकार इसके लिए डिटरमिड है। यह हम आप से आश्वासन चाहेंगे।

SHRI S.B. CHAVAN: Certainly, we don't have any objection to these things about the nomenclature, whether he should be called Sadar-i-Riyasat or whether he should be called Wazir-e-Azam. These are totally irrelevant matters. The main issue is going to be the quantum of autonomy. If it is the quantum of autonomy on which we have to take a decision, it will be only with the representative Government with whom, we would discuss this issue and try to find a solution for the same. Sir, some other issues were also raised. I wish I had more time. The hon. Leader of the Opposition, was unusually very bitter today. I do not know whether he had quarrelled with somebody. I do not want to name anyone. (Interruptions). But I take him

seriously. Whatever he has suggested is his honest opinion. It is his conviction. And that is also his party's stand. I know that. If it is party's stand, it is all right. Now, I am happy to see that with Jagmohanji, there has been a slight change.

SHRI JAGMOHAN: My views have been recorded in this book even in 1991. It is only your perception that has changed now.

SHRI S.B. CHAVAN: On your attitude about Article 370, you feel that it is being misused. You have come to that.

SHRI JAGMOHAN: I am also asking for its modification for certain valid reasons which have now arisen.

SHRI JAGDISH PRASAD MATHUR: Some people think that if Article 370 goes, the link goes. They do not know about Article 1. Please clarify that. Article 370 is not the main Article. It is only supplementary. Article 1 says that it is a part of India. Nobody can take it away from us.

SHRI S.B. CHAVAN: In Article 3 of the Jammu and Kashmir Constitution, they have clearly stated that they are an integral part of India.

SHRI JAGDISH PRASAD MATHUR: Nothing can be said in the Assembly which questions the relationship with India.

SHRI S.B. CHAVAN: About Article 370, if there is any misuse, certainly, I will be too happy to discuss with hon. Member Shri Jagmohan. I am sorry. Last time, I had promised you that we would

you that we would like to have a small Committee, here also, of Members of Parliament who will be in a position to advise the Home Ministry about it. I shall request the hon. Prime Minister to have this Committee constituted and try to consult them. The National Integration Council or the Standing Committee of the same is a very big body. (Interruptions).

विपक्ष के नेता (श्री सिकन्दर बख्त): मेरा दखल देना मुनासिब नहीं था। मगर एक तो मैंने ओपीनियन नहीं दी है। मैंने तो फैक्ट बयान किया है नंबर 1 और नम्बर दो, मैं सिर्फ दो बातों पर रोशनी चाहूंगा। आप सिर्फ इतना बताइए कि क्या जम्मू-कश्मीर की रियासत में लार्जर एरिया अंडर दि कन्ट्रोल आफ मिलिटेंट्स आए हैं या नहीं? दूसरा हम जम्मू-कश्मीर रियासत में गवर्नेंस का काम कब से शुरू करना चाहते हैं?

†† انگری سلطنت راجت: میر لفظ دینا مناسب نہیں تھا۔ مگر ایک تو میں نے اوپینین دی ہے میں نے تو فیکٹ بیان کیا ہے نمبر 1 میں صرف دو باتوں پر روشنی چاہوں گا۔ نمبر 1 آپ صرف اتنا بتائیے کہ کیا جموں کشمیر ریاست میں ”لارجر ایریا رنڈر دی کنٹرول آف ملیٹینس آتا ہے یا نہیں۔ دوسرا ہم جوں کشمیر ریاست میں گورننس کا کام کب سے شروع کرنا چاہتے ہیں۔

SHRI S.B. CHAVAN: As soon as the elections are over, you will get a representative government and they will be able to decide their own fate and the remote control will not be there. That is the only thing which I can say.

To say that it is the militants who are governing certain areas is not right. I do not deny they have been coming in those areas. They have been trying to extend their activities in the Jammu area also. There have been some blasts.

† [ ] Transliteration in Arabic Script.

People have been arrested. Cases are being registered against some of them and against those whom they have not been able to arrest.

There was a news item in a section of the Press that seven of the 45 people who were recruited for military duty had been kidnapped. It is not a fact. Sometimes, misunderstandings are also there. I would like to clarify the whole thing. Actually, they were in a hurry to take out the bus when it was waylaid by some people. Three people could not board the bus. One of them had been killed Six of the people had reported to the army personnel. So, there is no question of abducting seven of the people, seven people who formed part of the 45 who were recruited for military duty in that area.

Sir, about the other issues which have been raised, I think I will find some other time to reply to those points, since I have got the message that I have to be in the Lok Sabha and I have to rush there. I again thank the hon. Members. And I assure you that to the concrete suggestions, which are constructive in nature, we will certainly apply our mind to the maximum extent and whatever is acceptable, we will certainly try to accept that. Thank you very much.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Sir, Mr. Santan Bisi, wants one clarification from you.

SHRI SANTAN BISI (ORISSA): Sir, the point is that answers cannot be given in the form of interrogatories. Mr. Pilot has stated that there are lacunae in the Jammu and Kashmir administration. If this is the signal which would go to the people, then where is administration? How will the people have faith in the administration? Subsequently, he has stated that arms and ammunition worth 55 crores of rupees have been purchased

for Jammu and Kashmir. Is this the reply we are expecting?

**SHRI S.B. CHAVAN:** I will look into it. I cannot say anything right now.

**SHRI SANTAN BISI:** I have got the reply with me. Further, in reply to my Unstarred Question, he has not denied what he has stated. (*Interruptions*) The Minister has not made a statement to that effect. These are the things which should have been covered. (*Interruptions*)

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** Okay. The Minister has said that he would verify that. Now, we will take up the Half-an-Hour discussion. (*Interruptions*)

**SHRI SIKANDER BAKTH:** Sir, I would like to know what the other business is that the House has to take up. We have got to go. We have got some appointments. Therefore, kindly tell us what business we are going to take up. Let us know the business. What is the Business that the House has before it?

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** Now, we have the Sick Textile Undertakings (Nationalisation Amendment Bill, 1995 before us. We will take that up and some more Bills have come. (*Interruptions*) Then there are some small Bills. Now, Shri Dipankar Mukherjee. I would like to make it clear that the hon. Finance Minister will reply to him in the next Session. Therefore, we will take this up.

#### HALF-AN-HOUR DISCUSSION

On Points arising out of replies to unstarred Q. Nos. 6964 and 7766 of 23rd and 30th May, 1995 regarding sanction of loans to M/s. M.S. Shoes Ltd.

**SHRI DIPANKAR MUKHERJEE (WEST BENGAL):** Mr. Vice Chairman, Sir, firstly, I am grateful to the Chairman who has permitted this Half-an-Hour Discussion. (*Interruptions*) As a matter of fact, why am I having this discussion? The hon. Finance Minister had told me that he would not be in a position to be present in the House and I left it to his

discretion to decide whether he should be present in the House or not. In spite of that I wanted to initiate this discussion. The reason is that I have been pursuing the issue of sanction of bridge loans to M/s M.S. Shoes from April onwards. (*Interruption*).

One of the specific reasons given by the Finance Ministry as to why my queries could not be replied was that this was secret under some clause, which I do not want to quote right now. I was told that it was secret. Now, that veil of secrecy under which a mini-Scam was being...(*Interruptions*)

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** Dipankar Ji, will you yield for a minute? If the House agrees, I will request Shri Shankar Dayal Singh to take the Chair. I will come back within five minutes.

**THE VICE-CHAIRMAN (SHRI SHANKAR DAYAL SINGH) IN THE CHAIR** **SHRI DIPANKAR MUKHERJEE:** Sir, on 31st March I got a letter from the hon. Finance Minister wherein, in connection with some loans, some working capital to a public sector undertaking, the Finance Minister had written to me, and I quote: "The Banks, as purveyors of credit, disburse largely out of the savings of the public, mobilised by them, and should be free to decline credit." I just emphasise the point — "largely out of the savings of the public, mobilised by them." And then again he writes, "Since banks, as custodians of savings of depositors..." these are the two things which are specified.

"Custodians of savings of depositors and purveyors of the credit disbursed out of the savings largely mobilised by them." As a representative of the public in this Parliament, I regret to say that I have been deprived of the informations from the Finance Ministry under the veil