

there, all of which together, perhaps, have been responsible for the ULFA movement. The reasons for that have to be gone into and it is not to be suppressed just with the help of the army.

But what has been done, really, in Assam? I should say that the AGP has demonstrated the utmost restraint. We have our own differences with the AGP. Such differences are there with many. But their forbearance, their patience, in the face of the gravest provocation, of over-effort, by the Government of the country, that patience cannot be under-valued when we consider their organizational capacity in the whole of Assam, their appeal to the people and their command over the people. Therefore, I would tell..

THE DEPUTY CHAIRMAN: Prof. Bhattacharjee j finish.

PROF. SOURENDRA BHATTA-CHARJEE: Yes, just one minute.

I support Mr. Goswami's Resolution. But Mr. Goswami himself has suggested March or April, not really the restoration of the AGP Government. So, the earliest election is the only way out by which this Government can save its face and can also respond to the democratic opinion of the people of the State.

Thank you, Madam.

THE DEPUTY CHAIRMAN: After the lunch, we would have further discussion and reply on the Statutory Resolution on Assam. (*Interruptions*)

पहले बैठिए

मेरी बात पूरी होने से पहलें आप कैसे खड़े हो रहे हैं। अब यह डिस्क्शन लंच के बाद होगा। उसके बाद एक छोटा सा बिल है, उसे क्लिफ्ट करने के बाद रीजल मेशन होंगे।

The House is adjourned till 2-30.M. for lunch.

The House then adjourned for lunch at thirty-one minutes past one of the clock.

The House re-assembled after lunch at thirty-three minutes past two of the clock, The Vice-Chairman (Shri M. A. BABY) in the Chair.

1. Resolution approving President's Proclamation under Article 356 in relation to Assam and
2. Motion recommending revocation of the Proclamation—contd.

THE VICE-CHAIRMAN (SHRI M. A. BABY); Shri Khyomo Lotha
Absent.

SHRI HIPHEI (Mizoram): I rise with a very happy mood to give my support to the motion moved by the hon. Minister of State for Home, Mr. Subodh Kant Sahai.

While sitting on that side, we supported another motion like the Constitutional Amendment for extension of President's Rule in Punjab. Now, sitting this side, we support this President's Rule imposed in the State of Assam. We do not change our mind, we do not change our principles, we do not change our thoughts with the change of four seats and division numbers.

It is obvious whenever important issues are taken up, there are at least two opinions. Today also we have two opinions. One is for the motion and the other is against the motion. I would like to mention here that in this world everything is imperfect. It has its own merits and demerits. So also is the imposition of President's rule in the State of Assam. It has good points and it has bad points. It has its own merits and it has also merits. We have to think what is more. To me the merit is more. I am from the State of Mizoram which is one of the most sensitive border States in India. It was a part of Assam till 1972, We all know what a

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border State means. The border States are surrounded by foreign countries. I don't claim that I know very well about the foreign relations. From our experience I do know that some countries are trying to sow the seeds of insurgency and making it into a movement resulting inultima-tely into uprising in the border States. That is what exactly happened in Mizoram in 1966. No timely action was taken by the State of Assam at that time. As a result of that there was long 20 year bloodshed and suffering leaving bitter memories which are not at all conducive to the emotional integration of the country. The situation in Assam was the same as that of Mizoram. Foreign hands are suspected to be involved, many youths were trained outside and inside India. The situation has become uncontrollable. Apparently it was the rule by the elected body of AGP Government but practically it was not. It was the rule by the ULFA activists. There are 23 districts in the State of Assam. Out of 23 districts, 19 districts were dominated by the ULFA activists. Their zonal commanders are supreme rulers in those districts. So it was not a question of imposition of President's rule but it is a question of the rule by unlawful bodies like ULFA where we have allowed a State to be run, to be controlled by that unlawful body of ULFA activists. They have controlled the whole State. It was suspected that the Government at that time was not only trying to control the activities but they were suspected to be helping hands to them.

THE VICE-CHAIRMAN (SHRI M. A. BABY): Please conclude.

SHRI SIPHEI: I am concluding. Huge amounts of money had been collected at gun-point. There are 800 tea gardens. Those tea gardeners could not look after their gardens. The economy of the State was badly affected. It was on the verge of collapse. If the State Government at

that time had taken action, had performed its Constitutional duties, that extremism could have been stoppe'd. It could have been nipped in the bud if the Government took initial steps. It had become uncontrollable and the whole State was burning. There are more than 130 murder cases. No culprit wag apprehended. Rs. 5 lakhs was demanded from each tea gard-ner. It is too much. Life and property of the people were not protected. They were at the mercy of the ULFA activists. That had to be tackled. Now, after the imposition of President's rule, we have not heard any news of killing; we have not heard any news of looting; we have not heard any news of forcible collection of money. It appears that the situation has improved. But, Sir, there might be some excesses committed by the army. Whenever the army moves, we cannot expect a very smooth sailing. They are also human beings like us except that their duties are d'fferent. They can make mistakes. I am very sympathetic to the people of Assam that they are suffering the torture; they are suffering the rapes. I am with them. But I would like to request them to be patient and tolerant.

We have experienced for long 20 years. Now a brighter day has dawned. The intention of the imposition of President's rule is not to oppress the people or to suppress the people, it is for the safety of the country, it is for the integration of the nation. Now this is done in order to save the country. We are not allowing an inch of our territory to go from India. We have to save it for the safety of the nation, for the longevity of the nation for the betterment of the people of Assam, for their welfare, for the betterment of the State, this has to be approved Thank you. Sir.

SHRI DAVID LEDGER (Assam): Mr. Vice-Chairman, Sir, I rise to oppose the resolution moved by the Government seeking approval of the imposition of President's rule in the State of Assem.

I oppose the resolution, Vice-Chairman, Sir, because I am averse to the concept of suspension of democratic process in any part of the country. I oppose the resolution because today, in the garb of President's rule, virtually army rule is going on in the State of Assam. The entire State has been declared as a disturbed area and the draconian provisions of the Armed Forces (Special Powers) Act are being blatantly made use of. On the pretext of nabbing militants, the armed personnel are harassing innocent citizens. Indiscriminate arrest, assault, intimidation molestation and rape of women, cold-blooded killings, destruction and looting of property, everything conceivable is being done by the army jawan in the State of Assam today. Degrading treatment is being meted out to the respectable citizens. Human dignity is being violated. Fundamental rights, as enshrined in the Constitution of India, are being violated. Human rights are being violated with impunity. Not to speak of the existing laws, even the provisions of the Armed Forces Special Powers Act are being violated Section 5 of the Act specifically says that "any person, who is arrested by the army, is to be immediately handed over to the police". In spite of this, people arrested by the army have been detained for days together. They have been tortured and finally, they have been handed over to the police and in some cases. Sir, the people could not come back to their families alive. Their dead bodies were handed over to the police. I would just cite a few examples and I would like to draw the attention of the Home Minister to these. Bipin Gogoi, an employee of the Transport Division of the Oil India Limited, was picked UP by the army on the 4th of December. His dead body was returned to the police on the 6th of December. His body bore the marks of brutality. His right eye was gouged out. Gambhir Gogoi, an employee of the Savitri Tea Estate, was picked up on the 1st; his dead body was handed over to the local police on the 6th. Sir, I would like to say

that even old men and pregnant women have not been spared. Lakhu Ram, a 55-year-old man belonging to the ex-tea garden tribe of Lakhi Pat-har, was going fishing. He was not an activist of the ULFA. He went fishing and the army had to shoot the old man leaving him in the fields to die. Mrs. Paramadoi Payne, a 36-year-old pregnant tribal lady, who was cleaning rice in her house and who was obviously not an ULLFA activist, was shot in the belly and she was left to die. Will the Home Minister kindly take note of these allegations and institute an enquiry? Sir, the brutality in Assam today perpetrated by the armed forces has surpassed all norms of civilised behaviour. Even teen-aged girls, school girls, have not been spared. My colleague, Shrimati Bijoya Chakra-varty, has already mentioned, an 18 year old higher secondary student, Anjumani Bora from village Charoua-gaon under Brehapuria police station in Lakhimpur district, was raped by three army jawans. Her parents were confined in the cow-shed. They were tied up. That poor girl was screaming away and she was being repeatedly raped by the army jawans. These girls have the courage to come all the way to Guwahati and petition the Governor of Assam seeking justice. The Governor has not yet been able to give justice and the three jawans are still at large seeking greener pastures It is not our intention to malign the Indian Army. I would like

to make this point very clear that we

hold the Indian Army in very high esteem. Our mothers and sisters gladly donated, gave away their golden jewellery to the Indian Army in 19C2 during the Chinese war. But when the same army swoops on our mothers and sisters, Mr. Vice-Chairmen, Sir, we certainly have the right and the moral duty to raise these things before the nation. The Government has all along been denying that atrocities have been committed

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by the army. May I draw the attention of the Home Minister and the Government that two army jawans have been dismissed from service? They have been court-martialled and imprisoned. The charge was that they raped two tribal women near Tejpur and yet the Government goes on saying that there has not been any brutality, there has not been any atrocity. Will the Home Minister kind-Jy enquire into these things?

Sir, I would like to raise another important point. Today, in Assam, I have already mentioned that the army rule is virtually going on. Today, in Assam, civil administration and the police administration has been totally negated and sidelined. I will give just a few examples. Sir, the Deputy Commissioner and the Superintendent of Police, who was in full uniform of Tinsukhia District were detained by the army and they were questioned for three hours. What was the plea. That in Punjab the militants were roaming around wearing the uniform of SPs and DIGs! How funny, Sir! How ridiculous! In Sibsagar District the Superintendent of Police was detained in the army camps for several hours and he was interrogated. He was humiliated, he was abused. My colleague had mentioned, Sir, that the Circle Inspector of Margherita, Nomor Chandra Tai, his P.A. and driver and two armed police personnel were lifted by the army. They were blind folded. Their hands were tied up and they were brutally beaten up in a tea garden. They were detained during the night. And only on the next day they were let off after they had signed papers saying that atrocity had been committed on them. The house of an Executive Magistrate was searched and ransacked in Barneta District without knowledge of the Deputy Commissioner. And yet the administration, ASSP.TI administration today says that nothing has been done, no atrocity has been committed-

THE VICE-CHAIRMAN (SHRI M. A. BABY); Please conclude

SHRI DAVID LEDGER: Two more points, Sir.

THE VICE-CHAIRMAN (SHRI M. A. BABY); Try to be brief and don't give too many examples.

SHRI DAVID LEDGER: Sir, I would only like to highlight this point. When this is the plight of top officials of the administration and high police officials, one can just imagine the plight of ordinary citizens, civilians. There cannot be any question of supporting militancy, terrorism or secessionism. There cannot be any question of believing in the cult of violence, Sir, but let me caution this Government that State terrorism cannot be the answer to individual terrorism. It has never paid once in the history. We have the example of Punjab and Kashmir before us. If I remember correctly, Mr. Vice-Chairman, Julio F. Rebeiro, the then Director-General of Punjab Police who had advocated the policy of bullet for bullet, before he left on a new assignment, this gentleman had the good sense to admit his folly and he had advised political solutions. I would like to caution the Government that any further prolongation of President's rule in the State, any suspension of the democratic process for any further period of time will not improve the situation. It will only deteriorate the situation. It will further alienate the people of Assam. I wish to warn the Government. I would like the eyes to be opened to the fact that the process of alienation has already started. My senior colleague, Mr. Dinesh Goswami, was mentioning all these things yesterday. So it is my earnest request, I urge upon the Government to restore the democratic process in the State of Assam as early as possible. Hold elections in the State of Assam and give the people of Assam the right to choose their representatives and form a Government. We don't mind any party forming a

Government. Let there be a Government, a popular Government.

With these words, before I conclude, I would like to say one thing. The Prime Minister had shown a very good gesture yesterday in the house when he said that he was willing to talk to the militants. We welcome the gesture. The Prime Minister just a few days ago had agreed to talk to the militants in Punjab and he had even agreed—it is on record—saying that he was prepared to amend the Constitution. I am not saying that the Constitution should be amended. I am not saying such a thing, sir, but I would only like to urge the Government and call upon the Government not to close the doors of negotiations. The doors of negotiations, the doors of discussion, understanding, should remain open. This is my last request to the Government. With these words I conclude, Sir.

श्री राम अवधेश सिंह (बिहार) :

उपसभाध्यक्ष महोदय, जहाँ तक राष्ट्रपति शासन की अवधि बढ़ाने का सवाल है अवधि भी बढ़ायी जा रही है, उसका एकमंटेन किया जा रहा है, तो इसमें जैसा मैंने दिनेश गोस्वामी जी का भाषण सुना और उनकी तरफ से जो सदस्य बोले, सब की इच्छा यही थी कि मर्च तक चुनाव करा दिए जाएं। तो कांस्टी-ट्यूशनली टेक्निकली 8 जनवरी को अपने आप विधान सभा की जिन्दगी समाप्त हो रही थी, इसलिए बिना राष्ट्रपति की घोषणा के उसके कार्यकाल को बढ़ाने के सिवाय तो कोई चारा ही नहीं है और अप्रैल तक तो यह खुद कहते हैं कि चुनाव करा दीजिए। हाँ, यह बात जरूर है कि उसकी अवधि आगे नहीं बढ़ाई जानी चाहिए। हम लोग इस राय के हैं कि कहीं भी राष्ट्रपति शासन को लंबा नहीं खींचना चाहिए। जनता का राज अच्छा हो या बुरा, वह राष्ट्रपति शासन से अच्छा हुआ करता है। लेकिन जो परिस्थिति आसाम में पैदा हो गई थी, वह बहुत खराब थी। आसाम तौर से बाहर के लोगों की, व्यापारियों की और वहाँ

रहने वाले लोगों की जिन्दगी सुरक्षित नहीं थी और राष्ट्रपति शासन लागू करने के बाद जो चीजें प्रकाश में आई हैं—जो घटनाएँ वहाँ पर हो रही थी, जो ट्रेनिंग कैम्प खुल रहे थे, उन पर काबू पाने के लिए राष्ट्रपति शासन लागू करना, कुछ दिन के लिए, जरूरी था। चुनाव की स्थिति कितने दिन तक बन पाएगी, जितनी जल्दी बन पाए केंद्रीय सरकार को उसे बनने की कोशिश करनी चाहिए। लेकिन जो स्थिति ए० जी पी० की सरकार को आप दे सकते हैं या किसी को सकते हैं, सरकार ज्यादा जवाबदेह है कि वहाँ की स्थिति बहुत खतरनाक हो गई थी। मैं इस बात की बकालत किसी भी नहीं कर सकता कि चाहे मिलिट्री हो, पुलिस हो या कोई अर्ध सैनिक संगठन हो, वह वहाँ की जनता पर तबाही करे, उसकी इज्जत से खिलवाड़ करे, महिलाओं के साथ बर्बरता करे। लेकिन मैं याद दिलाना चाहता हूँ दिनेश गोस्वामी जी नहीं हैं, यह 25 जनवरी, 1988 की घटना है, जब ए० जी पी० की सरकार पूरी पापुलेरिटी में थी, वहाँ “कोकराझाड़” जिले के अंदर बोडो की करीब-करीब 7 महिलाओं के साथ असम की पुलिस ने सामूहिक रेप किया था ... (व्यवधान)

श्रीमती कमला सिन्हा (बिहार) :
क्या प्रश्न उठा रहे हैं आप ? बोडो समस्या कहां हैं इसमें ?

श्री राम अवधेश सिंह : असम सरकार की विफलता के बारे में बोल रहा हूँ।

श्रीमती कमला सिन्हा : वहाँ जो प्रेजिडेंट रूल है, उस पर बोलिए न।

श्री राम अवधेश सिंह : उसी पर बोल रहा हूँ न। क्यों प्रेजिडेंट रूल लागू हुआ, क्यों असम की सरकार बुरी तरह फेल हो गई थी, मैं यही कहना चाहता हूँ। मैं खुद वहाँ गया और “कोकराझाड़” में जहाँ महिलाओं के साथ सामूहिक बलात्कार हुआ था, मैं उसे टेप करके लाया, उसके फोटोग्राफ लाया और उन्हें इस संसद में मैंने पेश किया था 25 जनवरी, 1988 को और दो सप्ताह तक

[श्री राम अवधेश सिंह]

उस घटना के बारे में असम की सरकार मौन रही थी, चुप रही थी। जब मैं वहाँ जाकर रिपोर्ट लाया, टेप लाया, तब जाकर ... (व्यवधान)

श्रीमती विजया चक्रवर्ती : बिहार के लोगो का टेप है आपके पास ?

श्री राम अवधेश सिंह : जहाँ भी ... (व्यवधान) ... देखिए, आप महिला हैं और महिलाओं का रेप हुआ, उसको आप डिफेंड कर रही हैं। ... (व्यवधान)

श्रीमती मोरा दास (उड़ीसा) : महिलाओं पर अत्याचार तो सब जगह (व्यवधान)

श्री राम अवधेश सिंह : मैं इधर भी नहीं बोलूंगा, उधर भी नहीं बोलूंगा, मैं सिर्फ एक बात बोलूंगा और उस पर आपको बुरा नहीं मानना चाहिए। और बाद में जाकर एस० पी० सम्पेंड हुए, डी० एस० पी० सम्पेंड हुए और मैंने यहाँ आकर सदन में उस प्रश्न को रखा, बहस कर ई। ए० जी० पी० के किसी एम० पी० ने उस सवाल को नहीं उठाया, कांग्रेस के किसी एम० पी० ने उस सवाल को नहीं उठाया। ... (व्यवधान)

DR. NAGEN SAIKIA: It was not true. You have made an allegation which" is absolutely baseless. Mr. Ram Awadesh Singh, it was not proved. It is completely baseless. It was not proved at all.

3.00 P.M.

श्री राम अवधेश सिंह : मैं आपको चेलेंज कर सकता हूँ इस बात को। अगर है तो चलिये आप मेरे साथ, दो और एम. पी. को ले लीजिये, वहाँ पर मीटिंग हो जायेगी। वहाँ सामूहिक रेप हुआ था या नहीं ... (व्यवधान) इस बात पर हम नहीं पड़ना चाहते ... (व्यवधान) मैं यही कहना चाहता हूँ कि चाहे रेप मिलती

से हो, चाहे आसाम की पुलिस के जरिये हो वहाँ हर तरह से रेप किया, हर तरह का जुल्म किया। चाहे मिलट्री का जुल्म हो या पुलिस का जुल्म हो इन सबकी निंदा होनी चाहिये।

उपसभाध्यक्ष (श्री एम० ए० बेबी) : प्लीज कांक्लूड नांव।

श्री राम अवधेश सिंह : और नियंत्रण होना चाहिये। सरकार के द्वारा कानून रखने की कोशिश करनी चाहिये। मिलट्री जिसके हाथ में हम संगीन देते हैं, जिसके हाथ में हम लाठी देते हैं, जिसके हाथ में हम चाबूक देते हैं उस पर सरकार का नियंत्रण होना चाहिये। उपसभाध्यक्ष महोदय, आज मैं आपके माध्यम से जो राज्य मंत्री हैं उनसे अपील चाहता हूँ, उनसे अनुरोध करना चाहता हूँ कि जितनी शिकायतें आ रही हैं मिलट्री के एंट्रोसिटीज की, उसके अत्याचार की, उसके सीमा से बढ़ कर जाने की उस पर आपको नियंत्रण रखना चाहिये। इस बहस का मूल मतलब यही होना। क्योंकि (व्यवधान)

श्रीमती कमला सिन्हा : प्रेजिडेंट क्ल हटेगा या नहीं ... (व्यवधान)

श्री राम अवधेश सिंह : दिनेश गोस्वामी जी नहीं हटाना चाहते हैं। वह चाहते हैं चुनाव हों अप्रैल तक। आप क्या करेंगी? आप मुफ्त में बहस कर रही हैं ... (व्यवधान)

SHRI DINESH GOSWAMI: Sir, I want to correct his impression. I want the election right now. I did not want the election in April. The Government should announce the election right now.

श्री राम अवधेश सिंह : इलेक्शन कभी एनाउंस हो जाये, आज हो जाये, कल हो जाये। लेकिन आप भी तो चाहते हैं अप्रैल तक चुनाव न हों ... (व्यवधान) मैं उन लोगों में हूँ कि चुनाव आप अब कल कराने के लिये तैयार हैं तो

ठीक है, हमारा उस पर क्या बनता-बिगड़ता है। हम तो चाहते हैं कि जनता की सरकार बने और जो प्रोक्सी गवर्नमेंट होती है, ब्यूरोक्रेट्स की जो सरकार होती है वह सरकार हटे और मैं चाहता हूँ, मैं मांग भी करता हूँ कि जल्दी से जल्दी चुनाव कराया जाये। लेकिन यह जो कुछ सख्ती केन्द्रीय सरकार से हुई है वह उचित थी। उतना नहीं होने पर उल्फा के लोगों का दिमाग बहुत बढ़ गया था, उनके हाथ बहुत लम्बे हो गये थे, शहर की जिंदगी भी तबाह हो रही थी। इसलिये मैं समझता हूँ कि उतना जस्टिफाई था और अब जो एक्सेज हो रही है मिलिट्री के जरिये उस पर भी नियंत्रण रखना चाहिये।

SHRI W. KULABIDHU SINGH (Manipur);
 Mr. Vice-Chairman, Sir, I want to wholeheartedly support the Motion moved by Shri Dinesh Goswami. But the unlucky part of the thing is that the life of the Assam Legislative Assembly expired yesterday. So, it has become infructuous. Still we have to consider the promulgation of President's Rule on 27.11.90. Sir, the Governor of Assam misused the provisions of article 356 of the Constitution. The Governor was very much conscious of the provisions of article 156 of the Constitution under which the Governor is to hold office during the pleasure of the President of India, which means the pleasure of the Central Government and the Prime Minister, Shri Chandra Shekhar. Now, in order to please the Central Government, the Governor acted in a particular way and his report was extremely one sided and he has surpassed all democratic norms and traditions.

Now, the warning with regard to the imposition of the President's Rule in different States was given by our respected Prime Minister, Shri Chandra Shekhar, on the 9th December in Bhubaneswar. And again in the third week of December in Calcutta also our hon. Prime Minister warned the State Government of West Bengal. And then again on the Christmas Day

at Madras our respected Prime Minister also warned the Government of Tamil Nadu. Of Course, subsequently our Prime Minister explained by saying that by these warnings he did not mean that there would be President's rule and dismissal of popular Governments. That was the subsequent thought explanation. That is very good. However, the attitude and approach of our present regime is very clear and evident. It is very evident that at the time the Congress (I) gave their support to the present regime, there were specific conditions imposed on the hon. Prime Minister, even though professedly the Congress CO said that it was an unconditional support. Now, our Prime Minister is giving these warnings to these non-Congress (I) Governments because it is for obtaining the support of Congress (I) and other allies that our Prime Minister is acting on the whim and inkling of Mr. Rajiv Gandhi and Congress (I). This is very evident. I am very sorry for this, because the warning will come next even to Manipur where non-Congress (I) Government is there. Then it may even come to Orissa. Yesterday also the hon. Prime Minister explained away by saying; we do not like to impose President's rule in Tamil Nadu. So far it is there—today. But our Prime Minister is not aware what will happen tomorrow or the day after. Up till yesterday our Prime Minister was clear; He does not like to dismiss the Government of Tamil Nadu. That was yesterday's remark and nothing is known about the future. So, now the man at the helm of affairs in Delhi is very conscious how to exist, how to survive the Government. They do not see the merits of the case.

Now, I may explain that article 356 is not liked by anybody. In exceptional circumstances when there is incomplete, total impossibility of running the Government, when there is complete collapse of the administrative machinery, then only article 356 of the Constitution has to be resorted to.

[Shri W. Kulabidhu Singh]

The imposition of President's rule in Assam on the mere ground that some 141 people were killed and some two crores of rupees were extorted by ULFA activists is not a reasonable ground. What is happening in Uttar Pradesh? In the communal riots hundreds of people were killed. And in Andhra Pradesh, Congress (I) ruled State? And what happened in Gujarat? In the communal riots many people were killed in a single day. In comparison with Assam those killings are very heinous. Now, on this pretext of non-maintenance of law and order in Assam, I admit that there were some aberrations of the AGP Government. The Ministers were very young. But even then what to do? They were duly elected by the people, and a duly constituted Government was there. Why should it be thrown away in this manner? (*Time Belt*)

I would like to appeal that the imposition of President's rule may not be a lever of alienating the people of Assam from the mainstream of the country. The people of Assam are culturally and socially very advanced But economically and industrially the people of Assam are very backward. This side of the matter should not be ignored by the Central Government.

So I would humbly request the Government, through you, Sir, that the Government should not be vindictive and they should treat the people of Assam very liberally and leniently, and democratic process should be restored at the earliest.

Wnn these words, Sir, I conclude. Thank you, Sir.

SHRI BHADRESWAR BURAGOHAIN (Assam); Mr. Vice-Chairman, Sir, while opposing the Statutory Resolution moved by the hon. Home Minister and supporting the Motion tabled by hon. Shri Dinesh Goswami, I want to put forward my observations.

Sir, the imposition of the President's Rule in Assam is the first costly

blunder of the Chandra Shekhar Government. Soon after the imposition of the President's Rule in Assam, the Army has let loose a reign of terror in Assam. I had the experience of visiting almost all the affected villages from Upper Assam to Lower Assam. A rip of fear psychosis prevails right after the sunset. At about 6 p.m. sharp, all the shops are closed by the shop-keepers and not a single individual is seen in the streets. And in the name of combing the ultras, the extremists, the entire male persons are being nabbed, and the entire womenfolk has become a target of either molestation or rape by the Army, Sudh a situation prevails there in Assam. It is a fact that we should not criticise the Armed Forces in a national forum or anywhere else. But the fact remains that. Why are you using the Army? They are meant for defending the country, they are meant for defending the independence of the country. Why are you using them in your political interest? Yes, some boys may have taken to arms. But, instead of going into the very root cau-se of taking arms by the boys, instead of going into the matter as to why they are taking to arms, you are giving enough power to the Army to butcher them. What is that?-There is a very interesting thing going on in Assam in regard to the ULFA boys. Every villager used to pray for the betterment of the boys. Now, there are two terms going on in Assam. Mr. Home Minister. kindly note it. In regard to ULFA boys: every Assamese used to term them— that 'these are our boys'. Kindly note it. In regard to the Army, the As-sames used to term them as Indian Army. What is going on there in Assam? So, this system of alienation is going on there in Assam. And your Army is behaving with us in such a-way that as if we are a foreign country, we are a foreign nation. So, this is going on in Assam. Hence the boys are being termed as 'our boys' and the Army is being termed as the 'Indian Army'. So, if this state of affairs is allowed to continue, I agree with Mrs.

Bijoya Chakravarty that a befitting reply will come in due course of time.

Sir, I have got a series of rape instances. But I do not want to take the time of the House. You see the bestiality of the Army. On 4th. December, the Army have entered into the house of one Phulmani, a tribal, an extea garden labourer girl of 15 years old. Sir, I cite only two instances because most of the Members have cited a number of them. In regard to thir incident, the 15-year old Phulmani was gang-raped on the 4th December. See the bestiality of the Army. On the next day, another group of Army personnel re-entered her house and gang-raped her in front ^ of her parents. This is the state of affairs. Should I not speak about it here?

(The Deputy Chairman in the Chair)

In the other instance, one Savat Sanwal was picked up by the Army from his own residence which is not far from my district. And after two days, he was found dead in the Army Hospital at Jorhat, some 90 miles away from that particular place. How is: it that his dead body was found in the Army Hospital where civilians are not at all allowed to go anywhere near for treatment? Even in their daily briefings by the advisers of the Governor, they say there is no atrocity at all and there is no excess being committed by the army. There is a simple denial. So, my submission is, please try to understand the problem. Please try to understand the mass hysteria of the boys taking to arms. Mr. Dinesh Goswami told categorically yesterday that we were never a part of India till the infamous treaty of Yandaboo in 1826. Till then we were never a part of India. Should I go to history? So, we should not be ill-treated in that way like foreign enemy. Delhi has got no plans to look after the problems of the border States and all the time whenever anything happens either in Punjab or in Kashmir, you talk about their joining

the national mainstream. I cannot understand what is your national mainstream and what is its definition.

SHRI V. GOPALSAMY; Congress mainstream.

SHRI BHADRESWAR BURAGOHAIN; What is the national mainstream, I do not follow. Do you think killing of Muslims by Hindus or killing of Hindus by the Muslims is the reason to bring them into the national mainstream? We do not follow it; we cannot understand it and we do not try even to understand it. We do not know what is this national mainstream. *Mandir banega va masjid banegu*, So, you should not try to treat us like this, like talking of national integration, or amaity or harmony. In Hajo, Assam, parallel chanting of religious hymus of tooth Hindus and Muslims are going on daily.

My submission is, immediately the two draconean laws should be withdrawn from Assam. I strongly protest against the enforcement of these two laws in Asam, and if you allow this situation to continue in Assam, I will warn you that a befitting answer is already there in Assam, and if need be, we are prepared to die, but only to survive as good Indians.

THE DEPUTY CHAIRMAN; (Mr. Khyomo Lotha. Please be brief.

SHRI KHYOMO LOTH (Nagaland); Madam Deputy Chairman, thank you for giving me the time. would not take much time and I will try to be brief. I only want to raise certain issues which, to my mind, have been very irrelevant on the part of the AGP Government when they were ruling the Assam State.

Madam, President's rule is not a new thing for the people of the North-East. Infact, Nagaland had the longest period of President's rule for two. years. At that time I was sitting

[Shri Khyomo Lotha] there and the Assam Members were sitting this side, and mine was the lone voice to cry for what they are crying now.

President's rule is imposed naturally because of certain obvious reasons, that is, when there is a Constitutional crisis, or when there is breakdown of law and order and administration. In our case, of course, we had the elected Government and after one year, President's rule was imposed in Nagaland in 1975. But the AGP Government had almost a full term. Only a few months before its term expired, President's rule came into being.

President's rule itself is not an evil thing. The only thing is to see what happens during the President's rule while my colleagues from the other side are contending. But I would like to say that there has been a lot of differences of opinion about ULFA and NSCN operating jointly or having their camp in Nagaland. I must say, —to my knowledge—there is no ULFA camp in Nagaland. Nagaland is now like an open field. There is no forest, there is no jungle, to hide because, along the Assam-Nagaland border, the Assam Government, with the help of contractors, had destroyed the forests completely.

Today the AGP. Members are very much agitated over the enforcement of the Disturbed Areas Act in Assam. I can understand, I can appreciate their feelings. But I would like to point out to them that it was the AGP. Government which had enforced the Disturbed Areas Act along the Nagaland-Assam border. This "was" done by the A.G.P. Government against the interests of Nagaland.

DR NAGEN SAIKIA-. Because Nagaland encroached upon Assamese territory".

SHRI JKHYQMQ LOTHAS: You say that this was because of encroachment. For mere encroachment, you enforced the Disturbed Areas Act.

We have seen how the A.G.P. Government functioned. One gentleman referred to the Bodo agitation. The way the A.G.P. Government tried to tackle the Bodo problem, everybody knows. But in the case of the U.L.F.A. —the A.G.P. Government did not take any such measures.

Madam, we talk about development. We talk about backwardness. It is true that the Congress was ruling for many years, not only in Assam but in the entire North-Eastern Region also. But then the A.G.P. Government came to power in Assam in 1986. Have they brought out a comparative statement showing how much they have done, how much more they have done than what was done in 30-33-years of Congress rule? We are also agitated. There has been no development. There is no development. But what has the AGP. Government done to its people who voted them to power?

I come from Nagaland where in insurgency was there. We had suffered hundred times more than what they are mentioning today. We had suffered hundred times more, but we had no sympathy at all from our neighbours. They cannot be termed as anti-national because they were fully in line with the others in trying to contain or control the situation in Nagaland. Therefore, I do not know how, suddenly, the U.L.F.A. movement has come about. Madam, even during that time, in 1968, when the underground activities were in full swing in Nagaland, I had undertaken political activity, fulltime. We used to go and talk to those people. We used to go and appeal to the underground elements to come out and join the mainstream. The Government also used to appeal to these elements to give up their anti-national activities and provided them with employment, etc -

"The point is, in the case of the ULFA., did the AGP Government try to give them any jobs in the~

Government services? Have they tried to do that? Have they any record to show that they tried to bring these rebel youth, these frustrated youth, to the mainstream? Did they try to give them reasonable opportunities of employment? Did they try to get them employment in Central services? In this connection, I would like to point out that I fought for creating one battalion in the N.F. Railway for giving employment to the Ex-underground Nagas. Actually, this battalion was set up, but, later on, it was not there. I do not know why. The battalion is no more there. I would ask my colleagues from the A.G.P. Has the A.G.P. Government, its leaders, tried to convince these frustrated youth to shun violence to give up their violent activities and joint the mainstream by giving them suitable opportunities? *(Tims-bell)* I understand their difficulties. But I do not understand why they are blaming the Congress (I). It think this is not fair. It is because of the wrong policies adopted by the A.G.P. Government—that the President Rule had to be imposed. Even in these years the Naga people who travel to and through Assam were facing a lot of difficulty, money is being extracted from the travellers. I raised this point privately with some of the Members and even in this House.

So, I request my colleagues on the other side that they should appeal to these young people to shun violence and also in order to bring them into the mainstream • provide them with all the job facilities that are available within and outside the State. They should guide the youth of Assam and get them posts in the Central services. It is useless to blame the Congress'. Of course, I do understand that Congress party is the main party which will contest election, but then that should not be the reason to blame the Congress party. Let the people choose their own representatives when the election comes.

I want to bring one more point to the notice of the Central Government. If you look at the map of the North-East region, you will find that there has been insurgency in the North-East, in Nagaland, Manipur, Mizoram, and it has not completely died off. If Central Government do certain things which our friends are raising about army atrocities and driving away these armed militants and their followers, the militant groups may come together in the North-East region. I know that this was not there earlier, but if these forces joined hands together in the North-East, it will be a day of sorrow not only for the North-East region, but also for the whole country. That is why we have to restrain the police and army in their searches Or in their coming operations in Assam and in the neighbouring areas. Last night I have received complaints that Secur will be a day of sorrow not only for and harassing civilian population there. This has to be retrained even in Meghalaya region.

One of our Member colleagues has said about 'Operation Bajranj' I think it is likely to be misconstrued as it is wrongly named, because I know of one shop in my place which is Bajranj hardware shop. There is a Bajrang union also in my neighbourhood in Dimapur.

DR. NAGEN SAIKIA; It is in the interest of those who are devotees of Bajrang.

SHRI KHYOMO LOTHIA: It is a wrong name. *(Time Bell rings)*. So, the President's rule had to come, we could not help it. I wish it ended as soon as possible but in the meantime let us try to contain and convince the frustrated youth and appeal to them come to the main stream of national life- ...

THE DEPUTY CHAIRMAN: Mr. Saikia, would you like to speak?

DR. NAGEN' SAIKIA: Madam, my colleagues have already covered all the major points. So, mine will be the briefest speech ever made in a debate of the Parliament I think.

Through you, Madam, only I urge upon the Government of India to withdraw the draconian laws, to inquire into the army atrocities, to punish the persons who are found guilty, to hold election as early as possible and to make an end of the Presidential rule.

गृह मंत्रालय में राज्य मंत्री तथा सूचना और प्रसारण मंत्रालय में राज्य मंत्री (श्री सुबोध कान्त सहाय) : उप-उत्थापति महोदया, हमारे माननीय सदस्य श्री शिनेश गोस्वामी जी ने अपना एक मोझन रखा है जिसमें यह कहा गया कि सरकार के प्रस्ताव को नहीं माना जाए और यह कहा गया है कि वहाँ प्रेजिडेंट रूल लागू कर के जनतांत्रिक पद्धति से बनने वाली सरकार को रोका गया है और लोगों को चुनाव के माध्यम से अपनी सरकार बनाने के लिए जो मौका मिलने वाला था उसमें कटौती की गई है। तमाम माननीय सदस्यों ने जो खास मुद्दे उठाए हैं उन मुद्दों के ऊपर मैं समझता हूँ कि अत्याचार चाहे उत्फा के लोगों के द्वारा किया जा रहा हो या सरकार के द्वारा किया जा रहा हो या किसी परामिलिटरी फोर्स के द्वारा किया जा रहा हो, अत्याचार को कोई भी समाज वर्दाशत नहीं करता और खास कर के औरतों के साथ अत्याचार की जो घटनाएं आज सदन में लाई गई हैं मैं आपको विश्वास दिलाते हुए उसी से अपनी बात शुरू करता हूँ। हम आसू के लोगों से भी मिले थे और माननीया सदस्या ने यहाँ पर जो दो तीन सवालों को औरतों के साथ जो एक्सेजेज हुई हैं उनको उठाया है। मैंने कहा है कि चाहे परामिलिटरी

फोर्स के द्वारा या आर्मी के द्वारा अत्याचार किया गया हो, यह हमारी परम्परा रही है चाहे कहीं भी पंजाब हो या जम्मू काश्मीर हो, अगर इस तरह की किसी घटना की जानकारी सरकार के नोज में किसी भी स्तर पर लाई गई है तो उसके खिलाफ इन्क्वायरी इस्टैट्यूट की गई है। कोर्ट आफ इन्क्वायरी होती है परामिलिटरी के द्वारा और यह कार्यवाही की जाएगी। मुझे खुशी है कि एक साथी ने कहा कि दो लोगों को सजा भी दी गई है, डिमिस भी किया गया है। मैं इससे इनकार नहीं करना चाहता। उप-उत्थापति महोदया, मैं यह भी कहना चाहता हूँ उन तमाम सदस्यों को कि आसाम के जो हालात थे उसके हम सारे लोग चश्मदीद गवाह रहे हैं और जो हकीकत है उससे आंख बन्द कर लेने से हकीकत खत्म नहीं हो जाती है। पिछले एक साल से लगातार हर स्तर पर यह सवाल उठाया जाता रहा कि वहाँ पर उत्फा के द्वारा जो अत्याचार किये जा रहे थे।

In the name of reformists they were virtually running a parallel Government. इन सारे सवालों के बारे में सरकार का ध्यान हर समय आकर्षित करते रहा गया है और मैं आपको यह कहना चाहता हूँ कि हमने यह कहा है कि ए.जी.पी., आसू और उत्फा के संबंध का सवाल इतना ज्यादा नहीं है जितना ज्यादा लोगों के विश्वास का सवाल है। वहाँ सरकार चल रही थी लेकिन सरकार के क्रिया-कलापों से उन लोगों के दिमाग में विश्वास नहीं हो रहा था। जो लोग विभिन्न होते थे, कहीं न कहीं उनके दिमाग में यह प्रश्नसूचक चिह्न बन जाता था कि कहीं सरकार तो इन लोगों को संरक्षण नहीं दे रही है। यह हकीकत है, लोगों की मानसिकता का सवाल है और इसकी तरफ गवर्नर ने लोगों का ध्यान आकर्षित किया था। मैं कहना चाहता हूँ कि पिछली सरकार किस तरह से उदासीन रही है उत्फा की गतिविधियों को रोकने के लिए। केन्द्रीय सरकार के द्वारा सारे ब्रयास, 17 फरवरी, 1990 को गृह सचिव ने आसाम के मुख्य सचिव को पत्र लिखा जिसमें उत्फा के द्वारा जो जो घटनाएं हो रही थी उनके बारे में उल्लेख

किया गया और यह कहा कि इस पर कार्यवाही की जाए। गृह मंत्री और मैंने उस वक्त तात्कालिक गृह मंत्री के साथ 24 मार्च को वहाँ की स्थिति का जायजा लिया तथा 30 मार्च को आसाम के मुख्य मंत्री को पत्र लिखा जिसमें गम्भीरता के साथ उस पर कार्यवाही करने के लिए उनसे कहा गया। 6 मई को हमारे आज के जो विपक्ष के नेता हैं श्री गुरुपदस्वामी जी और हमारे उस वक्त के ला मिनिस्टर थे माननीय दिनेश गोस्वामी जी, इन तमाम लोगों के सामने गृह मंत्री के द्वारा विचारविमर्श हुआ और यह कहा गया कि उल्फा के द्वारा जो घटनाएं घट रही हैं उनके ऊपर मुख्य मंत्री के साथ बैठ कर कुछ चीजों के बारे में फैसला हुआ था। इस तरीके से यह सिलसिलेवार घटनाएं हैं। एक अगस्त को दिल्ली में बैठक हुई राज्यपाल, मुख्यमंत्री और गृह मंत्रालय के बीच में और उस में यह कहा गया कि इस पर कार्यवाही की जाए। विशेष शक्ति अधिनियम के तहत उल्फा गतिविधियों से प्रभावित क्षेत्रों को अशांत घोषित किये जाने के बारे में ए.जी.पी. सरकार की सहमति थी लेकिन इन्होंने अपने शासनकाल में उसको नहीं किया। यही नहीं मैं कहना चाहता हूँ कि इसके साथ उस सरकार को किस तरह से मजबूती प्रदान की जाए इसके लिए अतिरिक्त कम्पनियाँ, शस्त्र, संचार, वाहन और वित्तीय सहायता देने के बारे में भी निर्णय लिया गया। इस संबंध में 22 अगस्त को 1.20 करोड़ रुपये राज्य सरकार को दिये गये। लेकिन राज्य सरकार ने अशांत क्षेत्र घोषित नहीं किये। हम लोगों ने वाहन देने की बात की थी। उस सरकार में मैं इन चीजों को परस-नली मानी कर रहा था। हम कह रहे थे कि आप मारुति उद्योग से बिना पैसा दिये हुए सी से ज्यादा जिप्सी ले जाइये और प्रभावित जगहों में उनको दीजिए। सरकार बाद में उद्योग स्थल को पैसा दे देगी। लेकिन वहाँ कानून व्यवस्था को नियंत्रित करने की कोशिश कीजिए। नियंत्रित करने के उपायों में टांडा कानून, एन.एस.ए., विशेष अदालतों की स्थापना, सूचना नैटवर्क सुदृढ़ करना; कार्य योजनाओं के सभी पहलुओं को

मानीटर करना आदि रखे गये। यह भी कहा गया कि जितनी राजनैतिक शक्तिय हैं, जितनी राजनैतिक पार्टियाँ हैं उन सबको मजबूती प्रदान की जिससे की उल्फा की गतिविधियों के द्वारा जो आम लोग राजनैतिक जीवन से अपने कि अलफ़ महसूस कर रहे हैं वे उन गति-विधियों में शामिल हों। यह सब उन तमाम चीजों के तहत था। लेकिन उनके तहत दूसरा रहा कि वे धन ऐंठते, राजनैतिक नेताओं की हत्याएं होती रहीं, लाइसेंसधारी बंदूकधारी जो लोग थे उनकी गन्स को छीन लिया जाता रहा, भूमि और भवनों को जबरदस्ती दखल किया जाता रहा और लगातार कोर्ट में सुनवाई किये जाने के नाम पर उल्फा अपनी सरकार चलाती थी, लोगों को घटनों के बल चलने को उसने मजबूर कर दिया था। लेकिन उस सरकार ने कोई काम नहीं किया। हमारी बंगल में मंत्री जी बैठी हुई हैं, कह रही हैं कि जल्दी खत्म कर दो। मैं खत्म कर देना चाहता हूँ लेकिन हमसे यह न कहा जाए कि हमने जवाब नहीं दिया। .. (व्यवधान) इन तमाम चीजों के बावजूद कहा गया कि जो जो घटनाएं वहाँ हुई वे सर्वव्यापी हैं। हितेश्वर साइकिया के छोटे भाई की हत्या हुई। जब एच.के.एल. दास, इंडियन आयल के पदाधिकारी और उनके परिवार के लोगों को किडनैप किया गया तो मैं जानता हूँ कि किस तरह केन्द्रीय सरकार और राज्य सरकार के बीच में वार्ता चल रही थी। आज अगर गुरु-पदस्वामी जी रहे होते जो हमारे नेता भी रहे हैं, तो मैं उनसे पूछता कि कोई उस मूव का कैसे विरोध करता। यही नहीं एस.पी., दीलत सिंह नेगी की हत्या हुई। इन सारी हत्याओं की लगातार घटनाएं होती रहीं। लेकिन कार्यवाही के लिए क्या किया गया? 1 जनवरी 90 से 31 अक्टूबर 90 तक की अवधि के उस सरकार के कार्यकलापों को दखा जाए तो जो उल्फा के खिलाफ एफ़. आई. आर. दर्ज हुए वे 1272 थे लेकिन कार्यवाही कितनी पर हुई? सिर्फ 6 मामलों में कार्यवाही स्वरूप चार्जशीट दी गयी। ... (व्यवधान) 1272 में

[श्री सुबोध कान्त सहाय]

सिर्फ 6 र कार्यावाही हुई। यही नहीं, सजा किसी को नहीं हुई। किसी को सजा नहीं मिली। 1990 में 251 उल्फा उग्रवादियों में से केवल 21 को हिरासत में लिया गया, इतने लोगों को गिरफ्तार करने के बाद भी, और हथियार कितने बरामद हुए? कुल 94 हथियार बरामद हुए। यह उस दरस्थान की बात मैं कह रहा हूँ। अभी प्रेजीडेंट रुल लगाने के बाद जितने लोग गिरफ्तार हुए हैं उनकी संख्या 1550 है और जो कैम्पस थे उनमें से 21 कैम्पस को न्यूट्रलाइज किया गया। डेड बाडीज जो कैम्पस से रिकवर हुई उनकी संख्या 33 है। 17 डेड बाडीज को आइडेंटिफाई कर लिया गया है। 3 करोड़ 21 लाख रुपया उल्फा के भिन्न ठिकानों पर छापा मारने के बाद रिकवर किया गया। 6 करोड़ 21 लाख रुपया इस कम अवधि के तहत रिकवर किया गया। महोदया, मैं कहना चाहता हूँ कि पर्सन, जिनको गिरफ्तार करने के बाद छोड़ा गया है स्कूटी करके, वह 351 लोगों को छोड़ दिया गया है।

जो हथियार लोगों गने पकड़ा है, वह 443 रिकवरी विभिन्न तरह के हथियारों की हुत्र है और गोलाबारूद की संख्या अगर लिा जाए, तो हजार के करोड़न इस तरह से लोगों से गोला-बारूद पकड़ा गया है।

यही नहीं, मैं बताना चाहता कि उन तमाम इलाकों में उल्फा के लोग गिरफ्तार हुए हैं, हार्डकोर, वह अरुणाचल प्रदेश से तीन गिरफ्तार हुए जब प्रेजीडेंट रुल लगने के भाग, तो उनको बार्डर पर गिरफ्तार किया गया।

मेघालय के होम मिनिस्टर के सहयोग से वहाँ पर छापा मार करके जो मेघालय में इन्होंने हार्ड-अउट बनाय था प्रेजीडेंट रुल लगने के बाद, वहाँ से साराह लोग गिरफ्तार किये हैं, पाँच लोगों को वेस्ट बंगाल से गिरफ्तार किया और तीन

लोग तमिल नाडू से गिरफ्तार हुए हैं। यह स्थिति रहीं है।

SHRI V. NARAYANASAMY: Nine ULFA persons were arrested at Velio re.

श्री सुबोध कान्त सहाय: इनमें जंगल किशोर मोहंत जो हार्डकोर एक विस्ट उल्फा के रहे हैं, वह भी गिरफ्तार हुए हैं।

THE DEPUTY CHAIRMAN: Please don't interrupt when the Minister is speaking.

श्री सुबोध कान्त सहाय: जो पी. ए. फुकन, पब्लिसिटी सेक्रेटरी के एसो-गिएट रहे हैं, वह हार्डकोर गिरफ्तार होने वालों में रहे हैं।

इन सारे सवालों के साथ मैं कहना चाहता हूँ कि असम जो नार्थ-ईस्ट का गेटवे आफ इंडिया कहा जाता है, उस इलाके में हमारी प्राथमिकता रही है कि राजनीति से ऊपर उठ कर के उस इलाके का विकास किया जाए।

असम अकाई को भी व्यक्तिगत तो से हम और दिनेश गोस्वामी जी मिल कर के मानिटर किया करते थे। आज मैं कह सकता हूँ कि जितने भी काम थे, उनको हम लोगों ने पूरा किया, एतिहासिक काम पूरा किया है। उस इलाके में जितनी योजना चलाने का काम किया है, वहाँ सिर्फ यह कह देना कि वहाँ के लोगों को आर्थिक विकास की गति में शामिल नहीं किया जा रहा है, अपनी रिसर्पासिविटी से बचा नहीं जा सकता है।

मैं तमाम लोगों से कहना चाहता हूँ कि राजनीतिक तौर पर विरोध करने का यह वक्त नहीं है असम को इस प्रेजीडेंट रुल के दरस्थान हम क्लीन कथ लें, जिससे वहाँ पर राजनीतिक शक्तियाँ मजबूत हों और फिर वहाँ पर जल्द से जल्द जनतांत्रिक पद्धति लागू हो। हमारे लास्ट स्पीकर ने ठीक कहा

कि क्या कोई प्रवास किया गया था उलफ़ा के लोगों को मुख्य धारा में लाने का— क्या कोई राज्य सरकार से या केंद्र सरकार के द्वारा यह कहा गया था कि आप वार्ता कीजिए, जिससे कि उलफ़ा के लोगों को हम मुख्य धारा में लाएं। आज इस सरकार और हमारे प्रधान मंत्री ने, हमारे एक माननीय सदस्य के कहने पर रेस्पॉंड किया, कि हम बात करने के लिए तैयार हैं।

तो हमारी यह नीयत है—वहां नीयत यह नहीं है कि हम दिल्ली से शासन करें, बल्कि वहां नीयत यह है कि वहां की जनता का सही प्रतिनिधि चुन कर के अपना राज्य बनाये। इसलिए मैं कहना चाहता हूँ, उपसभापति जी, कि आर्मी के खिलाफ़ बहस चला करके राज-नीतिक फ़ायदा उठाने की कोशिश मत कर। हरेक आदमी जानता है कि किस तरह से सप्रेस्ड और डिप्रेस्ड हालत में वहां पर राजनीति करते थे।

इसलिए उलफ़ा के स्पोक्समैन न बने, असमियों के स्पोक्समैन बने।

इन चंद शब्दों के साथ मैं चाहता हूँ कि इसका अनुमोदन किया जाए।

SHRI DINESH GOSWAMI; As a representative of Assam, I must thank all the Members, who participated in the debate irrespective of the fact whether they approve of our stand or they approve of President's Rule, because on two points I find that there is a total similarity of views. One is that the people of Assam should be given as early as possible the choice to elect their own representatives in the Government. The second is that the problems of youths of Assam and also have the whole country and the economic underdevelopment of the region should be tackled.

A number of Members have criticised the functioning of the Assam Gana Parishad Government. Some of these criticisms and allegations, according to me are, totally un-

founded, exaggerated and politically motivated. I could have met one by one some of the allegations, but I am not doing so because we are not asking for the reinstatement of the State Government. President's Rule has become a *fait accompli*. Therefore, all these prints will be before the people. My friend, Mr. Bhubaneswar Kalita in the debate made his election speech yesterday. He will make his points before the people and we will go to the people and try to highlight our own achievements, I am not saying for a moment that the AGP did not falter and fail. We had our shortcomings. After all we could not insulate ourselves from the maladies of the political culture, which is developing in the country today... though the maladies, in my view, are much less in our party than in some of the national parties which are there in different parts of this country. But let the people decide it. If the people feel that we have failed, they will reject us. If the people feel that in spite of all the difficulties and shortcomings we did a good job, they will accept us and whatever the verdict of the people may be, we accept it with all humility and grace. But our view is that people must be given an opportunity to elect their own Government. On one thing everybody said that the AGP Government have failed miserably, there were so many shortcomings, they failed to tackle ULFA, they failed to go for the economic development and there were inner contradictions. But those who speak in such a strong language should not be afraid of going to the people. We, who according to them have failed miserably, are saying hold the elections, let the people decide. This is a contradiction which I have not been able to reconcile. If we have failed so badly, we would have been afraid of going to the polls. I said "hold the polls tomorrow and let the people decide."

I have got great regard for the hon. Home Minister because of the inter-

est that he has taken for the North-Eastern region. I am happy that the hag visited that region. He has taken personal interest and I am sure that he has a commitment for the development of the North-Eastern region. The point that I am making is about the talk with the militants. The Prime Minister has made a positive response but in his positive response he has failed. He said that the initiative should come from the militants themselves. How can you expect the initiative to come from the militants when you have outlawed the militants and when there is military operation against the militants? I believe in these matters the initiative should come from the Government I am not saying that the initiative should be on a highkey initially The Government can began an initiative at the Governmental level, can begin an initiative at the non-Governmental level. But I would request the Government which has got a lot of expertise in the initiatives and dialogues to initiate the process of a dialogue with the militants not only in Assam but also in the other neighbouring regions because I believe violence cannot solve any problem and does not solve any problem. The ULFA violence is not going to solve the problem of the State of Assam. The State violence will not be able to contain the ULFA or the militancy in that region.

My friends have referred to a number of cases o'f atrocities and harassment by the Army. It does not please me to make these allegations because we hold the Indian Army in the highest esteem coming from a border region. If there is a foreign aggression tomorrow, it is the Indian Army which shall have to defend us and, therefore, it is not our intention to decry the Indian Army. But there have been aberrations, aberrations galore and it is necessary to keep high the morale of the Indian Army, that these atrocities and harassment, the specific cases which are brought to the notice are immediately enquired into and actions are taken. But

let me point out that if there is an Army operation, however cautiously the Army may behave, there are going to be excesses for the very simple reason that the Army is trained to deal with the enemies and not with its own people. The training programme of the Army is to deal with enemies. This is a point which has been made by the Army personnel to me. They said "We are not mentally equipped to deal with the civilian population. We are trained to deal with enemies. When we come to an area we treat the person whom we are dealing with as if he is our enemy." The tendency that has developed in this country of using the Army for civil administration, therefore, has a dangerous potency Therefore, I plead with others that the Army should be withdrawn, as early as possible and the black laws repealed. So, Madam, I will not try to take much of your time more particularly when you have asked me to be brief and the other graceful lady, the Minister of Environment has also asked the Minister of State for Home to be brief. I will conclude by saying that now the climate is ripe for holding the elections. Kindly hold the elections as early as possible. I have told the House that for holding the elections the outside limit is either March or the first week of April, Therefore, the Election Commission should be right now directed to start the process of holding elections. The danger that I see is that the bureaucracy has a tendency to cling to power. It is not that the politicians have a tendency to cling to power. There were reports from he bureaucracy of Assam that the situation is not conducive for holding elections because they got the taste of power and they do not want to give it up. Therefore, don't go by the bureaucratic advice. Take a political decision to hold elections because it is the safest course to take us out from the present impasse. Continuation of President's rule every day will only alienate people and will be totally counter-productive. Thank y~2, Madam.

THE DEPUTY CHAIRMAN: Now I will put the Statutory Resolution to vote. The question is:

That this House approves the Proclamation issued by the President of the 27th November, 1990, under article 356 the Constitution, in relation to the State of Assam.

The motion was adopted.

THE DEPUTY CHAIRMAN: The motion of Mr. Goswami is barred because this resolution has been carried.

Now we will take up the Public Liability Insurance Bill, 1991. Shrimati Maneka Gandhi.

श्री छोटूभाई पटेल (गुजरात) :
महोदया, मैं सरकार से जानना चाहता हूँ कि क्या एक दिन के लिए सेशन बढ़ रहा है या गुरुवार को एडजर्न हो रहा है?

उपसमापति: मेरी आज तक की इत्तला के मुताबिक सेशन बल खत्म हो रहा है। मंत्रीजी बैठे हैं, वह बताएंगे।

THE MINISTER OF PETROLEUM AND CHEMICALS AND PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALAVIYA): Madam Deputy Chairman, Mr. Chhotubhai has raised a very valid point. We want to extend the Session by one day.

THE DEPUTY CHAIRMAN: Now the Minister has informed that the Session will be extended by one day on

एक ही दिन की अभी इत्तला आई है।

the 11th January, 1991

SHRI M. M. JACOB: I do not know whether this, is in consultation with the other parties or with the Chair or with the Business Advisory Committee. Or is it just an announcement?

THE DEPUTY CHAIRMAN: It is a Government decision. (*Interruptions*) . Please have order in the House. I am not able to hear what they say.

DR. BAPU KALDATE (Maharashtra): Who is to announce the decision of the Government? Is it the Chair or the Government?

THE DEPUTY CHAIRMAN: He is the Minister for Parliamentary Affairs.

DR. BAPU KALDATE: It has nothing to do with the Chair.

THE DEPUTY CHAIRMAN: He is part of the Government.

SHRI SATYA PRAKASH MALAVIYA: I only apprised Members of the intention of the Government.

THE DEPUTY CHAIRMAN: It is the intention of the Government.

SHRI M. M. JACOB: If it is intention, then it is all right. It is not a decision. Decision has to come from the Chair. That has to come in the normal course in consultation with leaders. (*Interruption*).

THE DEPUTY CHAIRMAN: If both Mr. Jacob and Mr. Bapu Kaldate speak in two different channels at the same time, I cannot understand.

DR. BAPU KALDATE: I will sit down for Mr. Jacob.

SHRI M. M. JACOB: I am only pointing that if this is the intention of the Government, it is all right, it is well taken. But the normal thing is, the Chairman has to decide whether the Session is to be extended or not. The Chairman's decision normally takes place after consulting the Business Advisory Committee or the leaders of parties. I understand from Mr. Malaviya that it is the intention of the Government and not the decision

SHRI SATYA PRAKASH MALAVIYA:
Mr. Jacob has rightly understood.

THE DEPUTY CHAIRMAN: Now let
me hear Mr. Bapu Kaldate.

डा० बापू कालदाते: जो अंग्रेजी में
उन्होंने कहा, वही मैं हिंदी में कहना
चाहता हूँ।

उपसभापति: आप हिंदी में अनुवाद
कर दीजिए उसका। मंत्री जी, तो हाउस
एक्सटेंड करने का आपका इंटेंशन है?

श्री सत्य प्रकाश मालवीय: हाँ,
इंटेंशन है।

उपसभापति: मैंने इंटेंशन की हाउस
को इत्तला दे दी।

Now, Shrimati Maneka Gandhi.

THE MINISTER OF STATE OF
THE MINISTRY OF ENVIRONMENT
AND FORESTS (SHRIMATI
MANEKA GANDHI): Madam,||| (*In-*
terruptions)

श्री अजीत जोगी: माइक पर आ
जाइए, आपकी आवाज नहीं आ रही है।

SHRI MURLIDHAR CHANDRAKANT
BHANDARE (Maharashtra): The hon.
Minister is inaudible.

उपसभापति: आप अगर बातचीत
बंद करें तो शायद आवाज जाएगी।

THE PUBLIC LIABILITY INSURANCE BILL, 1991

THE MINISTER OF STATE OF THE
MINISTRY OF ENVIRONMENT AND
FORESTS (SHRIMATI MANEKA
GANDHI): Madam, I beg to move:

That the Bill to provide for public liability
insurance for the purpose of providing
immediate relief to the persons affected by
accident occurring while handling any haz-
ardous substance and for matter

connected therewith or incidental thereto,
as passed by Lok Sabha, be taken into
consideration.

In doing so, I beg to submit that this Bill
seeks to fulfil a long felt demand for some
mechanism to give immediate relief to
victims of accidents in hazardous
industries or operations. The growth of
hazardous industries and operations which
produce the many goods needed by us is
essential for our development and in recent
times there has been a tremendous increase of
such industries. However, it has also
increased the risks of accidents not only to
the workmen but also to others who may be
the victims of the accident sites. Very often,
the people affected belong to the weaker
strata of the society with little capacity to
secure compensation for their sufferings.
Workers who are victims of such accidents
in hazardous industries are protected by
the Workmen's Compensation Act, 1923
and by the Employees State Insurance Act of
1948, but the members of the public are not
assured of any relief except through long legal
procedures

The Supreme Court of India in the Oleum
Gas leak case have held that the hazardous
industries are strictly liable to compensate for
any damage caused by an accident in their
industries. The liability to give relief in such
cases is based on the principle of no fault.
The claimant for relief shall not be required to
plead and establish "at the disaster, injury or
damage in respect of which the claim has
been made was due to any wrongful act,
neglect or default of any person. It is also our
common experience that industrial units
seldom have the willingness to readily
compensate the victims of accident and,
therefore, the only remedy available to the
victims is the legal one. Even when a court
orders relief, the industries and operations
where such accidents occur may not be
financially sound and an unanticipated
liability often cannot be met by them. These
enterprises