

# STATEMENT BY MINISTER

**Recent abduction of The Vice Chancellor of Kashmir University and the General Manager H.M.T. Factory, Srinagar**

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Now, we shall take up the Commissions of Inquiry (Amendment) Bill, 1990.

SHRI MAKHAN LAL FOTEDAR (Uttar Pradesh): There are some amendments to be moved.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): There are other Members. Let them come. Amendments can be moved later. Yes, Mr. Minister.

SHRI S. S. AHLUWALIA (Bihar): What about the statement?

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): It will be made after the Bills have been passed.

SHRI S. S. AHLUWALIA: No, no. We will not agree... (Interruptions)...

SHRI JAGESH DESAI (Maharashtra): No, no. We cannot agree to this... (Interruptions)...

THE LEADER OF THE OPPOSITION (SHRI P. SHIV SHANKER): Madam, the Leader of the House had made it absolutely clear that immediately after the Special Mention, the statement of the Home Minister will be taken up. We will certainly pass the Bills and we will not stop them. But let us follow the procedure. In fact, he raised the issue of procedure and it was said that immediately after the Special Mentions, the Home Minister would make the statement.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Quite right. The only thing is that sufficient copies have to be made available to the Members... (Interruptions)...

SOME HON. MEMBERS : We do not want copies... (Interruptions)...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): If you are not insisting on copies, then we will take it up... (Interruptions)...

SHRI SANTOSH BAGRODIA (Rajasthan): I am very sorry, Madam, that you are not listening to us and you are listening to that side only. You are not following the procedure... (Interruptions)...

SHRI M. M. JACOB (Kerala): You see, this was agreed to earlier... (Interruptions)...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): I cannot hear you. What is it? ... (Interruptions)...

SHRI M. M. JACOB: If copies are not ready, we do not insist on copies provided we are given the right to seek clarifications. This was made very clear from this side and Mr. Gurupadaswamy had accepted this. It is on the basis of that that we are requesting you to take up this now.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): All right. Yes, Mr. Mufti Mohammad Sayeed.

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Madam, I rise to inform the House of grave incidents that have taken place in Srinagar on 6th April, 1990.

[Shri Mufti Mohammad Sayeed]

The facts of the incidents of abduction, as ascertained from the State Government, are as follows:

On 6th April at about 0940 hrs, Shri H. L. Khera was proceeding to H.M.T. Factory at Zainakote, accompanied by a P.S.O. Constable of C.I.S.F. and his driver. When the car reached Qamarwari Chowk, it had to stop because of traffic congestion, whereupon 4-5 unidentified persons forced their entry into the vehicle and drove away. Subsequently, the driver and the C.I.S.F. Constable were released, who reported the matter to the police.

The abduction of Shri Mushirul Haq, Vice-Chancellor, and his Private Secretary, Shri Abdul Gani took place at about 1320 hrs on the 6th April, 1990, when they left the University campus in a vehicle. It has been reported that as soon as they reached the main gate of the University, 4-5 unidentified persons got into the vehicle of the Vice-Chancellor and drove it some distance away, from where they were transported in an un-numbered van.

Immediately on receipt of the information about the incidents, action was taken to block all exit and entry points of Srinagar City. Efforts to locate them are continuing.

Some local newspapers informed Police Control Room that the Students' Liberation Front has claimed responsibility for these abductions and has demanded release of three detained terrorists by 3.00 p.m. on 9th April, 1990 in exchange for three hostages. The three terrorists named in this connection are Nisar Ahmed Jogi, Fiaz Ahmed Wani and Ghulam Nabi Butt.

Madam, it is with great sorrow that I inform the House that Shri H. L. Khera, General Manager, H.M.T. has been murdered by his abductors. His dead body was found around 2.15 p.m. today in Batamaloo area of Srinagar. Hon'ble Members will join me in conveying our condolences and heartfelt sympathies to

the bereaved family and to condemn this despicable and cowardly act. I assure the House that every effort will be made to bring the criminals to book.

The manner in which the crime has been committed following the statement made by Amanullah Khan in New York yesterday reveals a sinister design. As is well-known Amanullah Khan has been allowed to carry on his nefarious activities from his sanctuary in Pakistan for quite sometime. His statement in New York yesterday and the crime committed today show that the misguided secessionist elements in the Valley are acting under instructions received from across the border. This incident coupled with all that Pakistan agencies have been doing in training and arming militants establish the fact that they are actively sponsoring terrorism in adjoining areas of our country.

The State administration is taking all steps for tracing Shri Mushirul Haq, Vice-Chancellor, and his personal secretary, for which intensive combining operations and searches have been continuing.

**SHRI MAKHAN LAL FOTEDAR:**  
It is indeed with a heavy heart that I rise to seek some clarifications about kidnapping or abduction of five Indian citizens by Pakistani terrorists in Kashmir. The House as also the country is aware that this Government started with political abductions or kidnappings. The kidnapping has now become the order of the day. It was only within seven days from the date this Government took over that the first kidnapping of such a magnitude took place in Kashmir. If I remember correctly, the Prime Minister considered it necessary not only to send the NSG personnel and commandos to Kashmir but also the Foreign Minister and the Energy Minister.

It was a sad day for the country when the Prime Minister of India released five Pakistani terrorists in exchange of one person and this has set a very very wrong precedent for

the country. That day was unfortunate for the country though it might have been fortunate for the Prime Minister. I would have liked the Prime Minister himself to be present in the House and I could have asked him how irresponsibly, how callously he is toying or playing with the future of this great country. Kashmir is on fire. The hon. Home Minister knows, as all of us know, that only one week ago one important leader of Kashmir, Mr. Mir Mustafa, was hanged. He happened to be our common friend, my friend as also the Home Minister's friend. He was an Indian who fought against Pakistan in 1965, who led the Indian Army to catch hold of the infiltrators at that time. It was that very Mir Mustafa who negotiated for the release of the Home Minister's daughter. I am told that the same Mir Mustafa was engaged by one of the Central Ministers to negotiate with the terrorists and in the bargain Mir Mustafa was abducted, kidnapped and killed at the same place, called Batamaloo about which the Home Minister has said just now. Perhaps the Home Minister is aware and we may remind him that even in 1965 Batamaloo had become very notorious for having become the haven of the infiltrators at that time. Mir Mustafa was also kidnapped, murdered, killed and assassinated there. This time Mr. Khera has also been kidnapped and his body has also been left over there. I would like to know from the Home Minister what specific and effective steps have been taken by the Government so far to catch hold of the infiltrators. Have they started combing operations in Batamaloo area? Has anybody been arrested? Has any search been conducted in that area? It is very unfortunate that we get information not from this Government, not even from the Pakistani Government but from a person sitting in New York that these people have been executed. It is a matter of shame for this Government to come at 5.30 in the evening to say that this gentleman has been executed while Amanullah

Khan said last night at 1.00 A.M. that they have been executed. It is not the question of only one Mr. Khera. It is the question of the majesty of the sovereign polity of India in Kashmir. India is disintegrating in Kashmir and the Prime Minister is silent on this issue. I am not accusing the Home Minister because sometimes he is being divested of his powers and sometimes Mr. George Fernandes is vested with the powers. I am not concerned with it. I am only accusing the Prime Minister because the policy emanates from the Prime Minister. What I am saying is that it is not the question of only one Mr. Khera. Mr. Khera represents, he symbolises, not only the HMT and BHEL. He symbolises the entire public sector and the entire working class in the country.

The working class has been attacked by the terrorists. And it is not the question of one Vice-Chancellor. I am told that today in the Jamia Milia, the entire student teachers community is on strike, and they are demanding the release of the Vice-Chancellor who was working in Kashmir. It is a question that no outsider from other parts of India, whether a Hindu or a Muslim, can safely perform his duties in the Valley of Kashmir. The Valley of Kashmir is not more than 30 X 80 Kms. It is said that this Government cannot manage the affairs in the Valley. Let me say that this Government headed by Mr. Vishwanath has brought this great country to the verge of disaster. Mr. Vishwanath, as Prime Minister, is feeding a psychology of surrender in this country. In this context, I would like to know from the Home Minister about the position and the steps taken for the release of the Vice-Chancellor who has been kidnapped. I am told, I do not know whether it is correct—that perhaps he has also been killed and his body may be found in that vicinity. The Home Minister has said just now that

[Shri Makhan Lal Fotedar]  
curfew was not clamped there. From the public place, somebody has been picked up and kept in a car. Had any security been provided by this Government? To what extent security has been provided in this case? I am warning this Government. I know they cannot govern. I know they have no experience to govern, they have no will to govern. Good judgment always comes out of experience. And experience always comes out of bad judgment. This Government is not in a position to give any judgment, any decision, any policy, good or bad, right or wrong. The way the things are happening in this country, specially in Kashmir and Punjab, I have a hunch that, perhaps, they are taking this country towards disintegration. On this issue, Madam, I would like to seek the resignation of the Prime Minister who has failed to govern this country. Thank you.

SHRI E. BALANANDAN (Kerala): Madam, we are shocked to hear the statement from the Home Minister that Mr. H. M. Khara has been killed by the terrorists in Kashmir, and also the whereabouts of the Vice-Chancellor, Shri Mushirul Haq, are not yet known. His safety is also in danger.

However, Madam, I heard the speech of my friend from the other side about the Kashmir situation. Has this Kashmir situation been created all of a sudden by this Government after they came to power? No. For the last many years, the policies pursued by the Congress(I) Party and the adjustments they have made with the ...

(Interruptions)

SHRI M. A. BABY (Kerala): We were peacefully listening to him. Why don't you listen to us?

(Interruptions)

SHRI E. BALANANDAN: I may express my view. You may not agree. You must listen to me. Still you want to politicise the issue now? You

have to see the question... (Interruptions)

SHRI S. S. AHLUWALIA: This is butcher Government.

SHRI E. BALANANDAN: You must be prepared to listen to others also.

SHRI P. K. GUNJACHEN (Kerala): The country knows how many people your Government butchered.

SHRI E. BALANANDAN: Therefore, the question is... (Interruptions) The situation today is worsening in Kashmir. We are all concerned about it. Every Indian ought to be concerned about it. But by placing the questions in a historical view, we will find that the situation is created by those people who were in power during the last so many years.

Now, Madam, I do not want to trace the whole thing. But this Government should take steps to see that the lives of the citizens are protected. And, at the same time, this should not be made a political issue and it should not be asked that the Prime Minister should come etc. etc. This is not an issue to be taken like that. So many incidents like that happen. The question of the unity of the country is at stake and we had created a national feeling for the unity of the country during our struggle. But that has been lost because of the National Conference losing the political hold over the Muslim community because of their joining hands with the Congress Party. This is the result in Kashmir. (Interruptions) You must find out the reason for all this. I do not for a moment condone the lapses on the part of this Government in not giving protection to the citizens of the country, especially in Kashmir valley. Therefore, every one of us is pained to hear the news of kidnapping and killing of a citizen of India, because a man from HMT has been killed. Therefore, I must ask the Home Minister to tell us what are the steps he has taken

immediately on hearing the news of kidnapping this important person by the terrorists. I must get an explanation from the Home Minister. He must also tell us what are the minimum steps that he did take to protect the life of the Vice-Chancellor, who is said to be alive. All possible steps to this end should be taken and this House should be given an assurance that the Government is actively engaged in protecting the life of citizens of the country. We must also take all possible steps to see that any move from across our borders which threatens the unity of the country is thwarted. The need of the hour is that politically we must unite at this critical juncture in order to see that the unity of India is protected. Each and every political party in India should come forward in this direction and see that Kashmir remains a part of India and these terrorists are isolated. I request the opposition party also to consider this point seriously. At the same time, the Home Minister should also explain what steps he is taking to protect the lives of citizens.

**श्रीमती बीणा वर्मा (मध्य प्रदेश) :**  
माननीय उपसभाध्यक्ष महोदय, यह जो काश्मीर में घटना घटी है, यह पहली नहीं तीसरी है। जब पहली घटना घटी थी तब उस समय एक संदेह उठा, था कि यह क्यों घटी? जो पांच आतंकवादी छोड़े गए, वह क्यों छोड़े गए? सवाल यह है कि वह क्यों छोड़े गए, एक देश की बेटी को छोड़ने के लिए? तो और देश की बेटियों को छोड़ने के लिए कितने आतंकवादी और छोड़े जाएंगे, यह भी एक प्रश्न है? लेकिन जब दूसरी घटना घटी, जब मोर मुस्तफा को किडनैप किया गया, उस का अपहरण किया गया और जब मांग उठी कि कुछ आतंकवादियों को छोड़ा जाय, तब नहीं छोड़ा गया? तब उसकी हत्या कर दी गयी। अब यह तीसरी घटना है कि जब दो हत्याएं हुई हैं। एक के लिए तो मंत्रीजी ने कबूल किया है, दूसरी के लिए नहीं। लेकिन आगे सवाल यह है कि अब उन आतंकवादियों से सरकार की कोई

बातचीत या डायलॉग हुआ है? अब आगे क्या होगा देश की एकता और अखण्डता के लिए? जब तक यह एश्योरेंस न हो जाय तब तक के लिए सरकार उन से बातचीत करेगी, नहीं करेगी, क्या करेगी, कुछ पता नहीं लग रहा है। इस तरह से तीन घटनाएं हो चुकी हैं और होम मिनिस्टर भी चुप हैं और इस देश का प्रधान मंत्री भी चुप है।

**एक माननीय सदस्य :** बहरे हैं।

**श्रीमती बीणा वर्मा :** पता नहीं।  
मुंह पर ताले लगे हैं तो मैं यही पूछना चाहूंगी कि कब तक चुप रहेंगे, यह खामोशी कब टूटेगी?

**SHRI DIPEN GHOSH (West Bengal):** Madam Vice-Chairman, I rise, more with anguish than anger, to seek clarifications and, while seeking clarifications, to put across certain issues to the hon. Home Minister which need the immediate attention of the Government.

It is not the time to talk about the failures or lapses and the reasons for these failures or lapses on this side or on that side. It is time for all the parties, at the national level, to put their heads together, to address themselves and to find ways and means to protect the unity and integrity of the country, because what is at stake today is not only the lives of certain persons but the very unity and integrity of the country is at stake.

It is really painful and most unfortunate that the Government could not take effective steps to find the whereabouts of certain abducted persons within a very small area. I do not know the exact size. Mr. Fotedar has said that it is 60 x 30 kms. or so. But the question is, the latest development in Kashmir underlines the necessity of eschewing the differences

[Shri Dipen Ghosh]

among the political parties, particularly, the parties operating at the national level, and making a joint effort to defend the unity and integrity of the country.

Madam, particularly, I want to bring to the kind notice of the Home Minister, through you, that after the abduction of Mr. L. M. Khera, General Manager of the HMT. factory at Srinagar, the workers and other employees of the factory have been very much scared. This will be more so when they hear the news of the death of Mr. Khera, which has been made public. Most of them have already fled. The disquieting feature is that these workers and other employees... (Time-bell rings) who had to flee for protection are being asked by the H.M.T. management to go back and resume their duties. I do not know what will be their reaction when the news of the death of Mr. Khera reaches them. They cannot go back and join. This is the practical difficulty. You cannot tell them 'You overcome the fear and go back and join'. That situation does not obtain there. If they do not join, despite the management having asked them to resume their duties, they will be penalised, or, they will stand to lose their wages. This morning, some people of the Srinagar H.M.T. factory came to me. I have also talked to the hon. Minister of Railways, who is looking after, or, co-ordinating, the Kashmir affairs; Mr. George Fernandes. One of our Members is representing our party on the advisory committee. So, I would like to know through you, Madam, what steps the Government proposes to take to arrange adequate protection of the workers not only of HMT but other Central Government offices, Central Government undertakings. All of them are under attack and they are scared, they are fleeing. I would request the Union Government to pass necessary orders to the respective management of these organisations not to insist on those workers to join the duty. Instead of that, some other methods have to

be found out so that they can report for duty to other units outside of the Valley and they are allowed to draw their salaries, wages, etc.

**डॉ० अब्दुल अहमद खान (राजस्थान):**

मैडम, यह जनता दल सरकार का नैतिक अधिकार तो किसी भी आतंकवादी को छोड़ने और न छोड़ने का उसी दिन समाप्त हो गया था, जिस दिन वहिन "रुबिया" को छोड़ने के लिए 4-5 आतंकवादियों को छोड़ना पड़ा। पहले भी किडनेपिंग हुआ है, हाइजेकिंग हुआ है, लेकिन उनको छोड़ने के लिए हमारे कमाण्डो की और अन्य एजेंसियों की मदद ली गई। लेकिन वह बड़ा दुखद दिन था, जिस दिन पांच आतंकवादियों को छोड़ा गया।

मैडम, मुझे बड़ा दुख होता है कि हमारे सरकार के पास कागज की कमी है या विचारों की कमी है या वह हमें बात को स्टेटमेंट देने में छुपाना चाहता है या बिल्कुल बुद्धि का दिवाला निकल गया है। यह जो स्टेटमेंट उन्होंने दिया, इसमें उन्होंने लिखा कि 6 अप्रैल, 1990 को लगभग 09.40 बजे श्री एल. एम. खेड़ा का केन्द्रीय औद्योगिक सुरक्षा बल से उनका किडनेपिंग किया गया और उसके बाद उसी दिन 13.20 बजे कुलपति महोदय का किडनेपिंग हुआ। तो 09.40 पर जब खेड़ा का किडनेपिंग हुआ, उनके साथ उनका ड्राइवर और जो कान्टेबल था, उनको साथ ले गए और आतंकवादियों ने उनको छोड़ा, लेकिन इस वक्तव्य में यह नहीं बता सकते थे कि उनको कितने समय बाद छोड़ा, कहाँ छोड़ा, किस अवस्था में छोड़ा और उन्होंने कितने बजे पुलिस को आगह किया? जब उन्होंने पुलिस को आगह किया, उसी दिन जबकि 13.20 पर कुलपति का मुख्य द्वार से अपहरण हो रहा है, तो क्या 4 घंटे तक कोई पुलिस व्यवस्था, कोई नाकेबंदी, किसी प्रकार की कार्यवाही नहीं हुई?

मै यूनिवर्सिटी के अंदर प्रोफेसर रहा हूँ। विश्वविद्यालय का मुख्य द्वार, जहाँ किसी प्रकार का आतंकवाद न हो, वहाँ

भी कम से कम दो कांस्टेबल या किसी न किसी प्रकार की कोई फोर्स रहनी है, लेकिन जो कश्मीर जल रहा हो, जहाँ अग लगी हो, वहाँ के उस विश्वविद्यालय के मुख्य द्वार, पर क्या 4 कमाण्डो या 2 सिपाही भी नहीं थे जो यह सूचना दे सकें?

इसके अलावा इन्होंने यह कहा वहाँ पर हर तरह की नाकेबंदी की गई। जब नाकेबंदी की गई तो उसी दिन 4 घंटे के फासले से दूसरा क्विजेंपिंग कैसे हुआ? वह नाकेबंदी के बीच से निकलकर किस तरह से चले गए? यह कहा गया कि हर संभव उपाय उनको दूढ़ने के लिए किए जा रहे हैं। 4 दिन के अंदर, हर संभव से उनका मतलब क्या है? क्या उपाय किए गए और इन उपायों का क्या परिणाम है कि एक शव मिल चुका है और दो का शव तलाश किया जा रहा है? यह बताए किस तरह से संभव प्रयास किए, यह मैं जानना चाहता हूँ।

**SHRI SHABBIR AHMAD SALARIA** (Jammu and Kashmir): Madam Vice-Chairman, it is an occasion which is really sad. Whatever has been said in the House and the statement made by the hon. Minister leave many things to be asked. Firstly, the statement betrays an understanding of the fact that Kashmir is a political problem and that it has to be tackled politically. On the other hand, efforts have been made to throw the blame at the door of one or the other. This is not the time to do that. Secondly, the statement does not show that in the combing which had been conducted what area did it encompass. How many people have been arrested in the course of combing operations? According to news, hundreds of people have been arrested. And according to the facts which have been divulged, for a period of five days continuously, curfew has been kept and all entry and exit points have been plugged. Notwithstanding that, the incident has taken place. The question is that the Government should find a political

solution to the Kashmir problem. By merely sending a Governor who is well-known for his administrative capabilities or strong methods, you cannot solve the Kashmir problem. That he has tried and he will continue to try it. You must approach the problem in a manner that it can be resolved.

In this connection, you must realise that in Kashmir, it is not a problem of a few persons. This thing is not noticed in the statement of the hon. Minister. It is a mass movement; only a few persons are not involved. There is deprivation. There is nothing available in Kashmir. Neither medicines, nor vegetables, nor meat, nor sugar is available and the people are suffering. Under the circumstances, how can you have the people with you? And unless you have the people with you, you cannot tackle the problem. In your effort to get rid of the problem, you are also enraging the people. You are throwing the baby with the bath water. Please, for God's sake, approach this problem carefully. For that purpose, you enter into a political consideration of the matter. What has led to this situation is the continuous erosion of the autonomy of Kashmir which was promised to them. Thereafter, from time to time, people have got alienated. You talk to the people, give them back what they have lost. That way, it is hoped you may be able to salvage the situation. The matter is going out of our hands because of our internal bickerings. Kashmir is divided into two parts on earth and Kashmir has difficulties because one-third of its population—40 lakh people—are on the other side and 70 lakh people are on this side. Nobody notes this.

**THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN):** Kindly seek clarifications.

**SHRI SHABBIR AHMAD SALARIA:** I am seeking a clarification whether the hon. Minister has taken note of the situation. What is the number of persons who have been arrested? What is this combing ope-

[Shri Shabbir Ahmad Salaria]

ration? What horror has been done on the people in the name of combing operations? Nobody endorses such an act, but while you are doing all this, you are also alienating the people by denying them even the basic liberty, even the right to eat, even the right to move about.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Please conclude.

SHRI SHABBIR AHMAD SALARIA: Therefore, under the circumstances I say, in view of what has been said by the hon. Minister, there has been no stress on this aspect of the matter that we have not to lose the people. In order to get rid of the problem, we are losing the people. Once we have lost the people, we will lose Kashmir. Therefore, that should not happen. We should keep the people with us and tackle the problem. On the other hand, the statement says that we have plugged this or that, we have kept the curfew for a period of five days. We have given all possible hardship and deprivation to the people. That will not improve the matter.

SHRI VISHVJIT P. SINGH (Maharashtra): Madam, yesterday it was Ahmedabad, today it is Kashmir, tomorrow I do not know what. Today we are again discussing Kashmir and we are discussing Punjab also later. It is a sad reflection on the method of governance. I cannot call it a government, I cannot call it a coalition, I do not know what to call it.

CHOWDHRY HARI SINGH (Uttar Pradesh). They are not running a government; they are running a morcha.

6.00 P.M.

SHRI VISHVJIT P. SINGH: I agree, they are not running the Government. They are running away. They are running away from the problems of

this country, they are running away from the people of this country, they are running away from the responsibility which has been reposed in them by the people of this country—or, has it been reposed? No, it is not. It has been abducted by them in spite of the wishes of the people. With a minority vote, with a minority representation through . . . (Interruptions)

AN HONOURABLE MEMBER: Don't politicize it.

SHRI VISHVJIT P. SINGH: No, I am not politicizing. If anybody is politicizing this matter, it is your ally, the ally of the National Front which has been going on asking for removal of article 370. If anybody is politicizing this issue, it is that party which is raising slogans all over the country against one community—which I will not name. If anybody is politicizing this issue, it is those political leaders who have come to a nefarious understanding to be together in this House and to be separate from each other outside. And those are the people who are taking political advantage of it. . . . (Interruptions) . . .

DR. JINENDRA KUMAR JAIN (Madhya Pradesh): It is to keep you out that they were elected by the people of this country. . . . (Interruptions) . . .

SHRI VISHVJIT P. SINGH: Madam, this statement makes it clear that it was known as to who the kidnappers were. The kidnappers had already attempted and approached the Government. The place is known, the place where it took place. As Mr. Salaria has said and as Dipen Da has said, the area was curfew-bound, there was a combing operation on and the whole area was cut off. In fact, Madam, I would like to share with this House what has been reported in all the papers: Negotiations were on yesterday. . . . (Time-bell rings) . . . I am just concluding. I am talking about yesterday; let us come to yesterday because the killings took place



yesterday, last night. The negotiations were on and in those negotiations the terrorists had brought their demand down. From asking for the release of three, they had come down to the release of one. If I am not wrong, last time there was one person involved and we released five. This time there were a number of people involved and they were asking for the release of one. The ratio was reverse, the arithmetic was in reverse. And, Madam, what did we do? We sat quiet while we saw them being killed. That is what I am ashamed of today... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Please seek your clarifications.

SHRI VISHVJIT P. SINGH: I am seeking my clarifications. Madam, in the combing operation the so-called terrorists were arrested. I may inform this House, it was not the terrorists who were arrested. I have said so before: Imposition of your draconian rule is on the people. You are arresting the people and you are allowing the terrorists to roam freely. This is the result of your policies, Mr. Home Minister. When you oppress the people and when you allow the terrorists to go free, this is the result... (*Interruptions*)...

DR. NARREDDY THULASI REDDY (Andhra Pradesh) Seek your clarifications... (*Interruptions*)

SHRI VISHVJIT P. SINGH: I am seeking my clarifications, Mr. Telugu Desam! I now seek my clarifications... (*Interruptions*)... And the clarification I seek from the hon. Minister is that these incidents, I know, are not going to stop. As you have said, the hand of Pakistan is behind this. The Pakistani Prime Minister has even given a fund of Rs. 10 crores for this purpose.

SHRI VIREN J. SHAH (Maharashtra): He is giving clarifications.

SHRI VISHVJIT P. SINGH: No, no, no, no, I am not giving clarifications. Mr. BJP, I am not giving clarifications: I am asking for clarifications.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Please conclude now. You don't have to respond to that. Please conclude now. (*Interruptions*)

SHRI DIPEN GHOSH: He has got connections with the abductors. Therefore, he knows that. (*Interruptions*)

SHRI VISHVJIT P. SINGH: No, no, no, not at all.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Please conclude now. There is no time.

SHRI VISHVJIT P. SINGH: Madam, I would like to know from the hon. Home Minister that when in future such incidents take place because this is already over, this chapter is closed... (*Interruptions*) No, no, no. I am quite sure that he would have suffered the same fate. These people will tell us after the body is recovered. Let us pray that he is all right. But I have no faith in the competence of this Government that it will be able to save him.

I would like to know from the hon. Home Minister that in case of such incidents in future what your specific plan of action is, to what extent you are willing to go. You make noises that you are going to take action against Pakistan. What action are you planning? You keep making noises that you are going to take action against the terrorists. What action are you going to take? You were in contact with the terrorists through negotiations yesterday. I would like to know if you have picked up the people with whom you were negotiating, if you have arrested them.

I would like to have specific answers to these questions from the hon. Home Minister.

Thank you, Madam.

**श्री जगदीश प्रसाद माथुर** (उत्तर प्रदेश) : महोदया, बड़े दुख के साथ मैं कुछ सवालान करने के लिए खड़ा हुआ हूँ। मैं श्री फोतेदार साहब की तरह तो कोई गैर वाजिब बात तो नहीं करना चाहता हूँ कि प्राइम मिनिस्टर को रिट्राइन करना चाहिए। वे क्या करें। उनके पास कोई चारा नहीं है। जो गलती उन्होंने की है वह आज की सरकार को भुगतनी पड़ रही है। नम्बर एक बात तो मैं यह पूछना चाहता हूँ कि श्री खेड़ा जिनकी हत्या कर दी गई है, स्टेटमेंट में कहा गया है कि उनके साथ एक सप्ताह था। क्या वह एक सप्ताह काफ़ी माना गया था, इससे ज्यादा कुछ नहीं किया जा सकता था? दूसरी बात में यह जानना चाहता हूँ कि श्री खेड़ा को कैमिनो के लिए क्या किया जा रहा है, उनके लिए क्या कंपेंसेशन आदि दिया जा रहा है। तीसरी बात मैं यह जानना चाहता हूँ कि वाइस चांसलर श्री मर्शाल हक और उनके प्राइवेट सेक्रेटरी के लिए, बयान से ऐसा लगता है कि उनके प्रोटेक्शन के लिए कोई व्यवस्था नहीं की गई थी और अगर व्यवस्था नहीं की गई थी तो क्यों नहीं की गई थी? क्या उन्होंने कोई व्यवस्था की मांग नहीं की थी या आपको जानकारी नहीं थी? चौथी बात मैं यह कहना चाहता हूँ कि वर्तमान स्थान पर पहले भी एक लाश पाई गई थी और श्री खेड़ा की लाश भी वहाँ पाई गई है। क्या सरकार को इस बात की जानकारी है कि वर्तमान के अस्पताल उनके अड्डे तो नहीं हैं? अगर मालूम है तो उन प्रइडो को तोड़ने के लिए क्या किया गया है और सरकार अपने क्या करना चाहती है? पांचवीं बात यह है कि एच.एम.टी. एक बहुत बड़ा कारखाना है। बैंक वहाँ काम नहीं कर रहे हैं। ऐसे दफ्तर जो कारखाने नहीं हैं उनको तो आप उठाकर जम्मू में ले आये हैं, लेकिन एच.एम.टी. जैसे कारखानों को दिल्ली या जम्मू में नहीं लाया जा सकता है, ऐसे कारखानों की प्रोटेक्शन के लिए सरकार क्या करना चाहती है? अमानुल्ला खान ने न्यूयार्क में बयान दिया है। हमें मालूम है कि पो-पाकिस्तान ऐलीमेंट्स या जो हिन्दुस्तान

के खिलाफ कार्यवाही करने हैं वे आज भी अमेरिका की जमीन से काम कर रहे हैं और जहाँ तक भेरी जानकारी है और वह सही भी है कि यूनाइटेड स्टेट्स की सरकार ने कहा है कि हम अमेरिका की भूमि में किसी भी खालिस्तानी या पाकिस्तानी ऐलीमेंट्स को कार्यवाही नहीं करने देंगे। ऐसी स्थिति में क्या सरकार को मालूम है कि अमानुल्ला खान यूनाइटेड स्टेट्स में काम कर रहे हैं और अगर कर रहे हैं तो इसके संबंध में क्या कार्यवाही की गई है, क्या कोई सवाल-जवाब किये गये हैं? आखिरी सवाल मेरा यह है कि भेरी जानकारी यह है कि पाकिस्तान की माफ़िग के और उनकी फौज की माफ़िग के धैलों में गल्ला मोहियया किया जा रहा है। और खाने पीने की चीजें मूहिया की जा रही हैं, क्या यह सही है, अगर सही है तो उसको रोकने की कार्यवाही की गई या नहीं? अगर उनको मालूम नहीं है तो मे इत्तेला दे रहा कि यह बात सही है। इस पर सरकार को देखना चाहिये और जिस रास्ते से (व्यवधान) मैं उनको मालूम हो रहा है। यदि गल्ला, खाने पीने की चीजें पाकिस्तानी माफ़िग के धैलों में आ सकती है (समय की घंटी) मैंने कोई तक्रिर नहीं की है, मैं प्वाइंट बाई प्वाइंट स्पष्टीकरण पूछ रहा हूँ लेकिन आपने घंटी बजा दी है।

**THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):** I am reminding you of the time. I have to do that.

**श्री जगदीश प्रसाद माथुर :** खैर, आप अपना फर्ज पूरा कीजिये और मैं अपना करता हूँ। तो आखिरी सवाल मैं यह पूछना चाहता हूँ कि अगर गल्ला या दूसरा खाने-पीने का सामान पाकिस्तानी सेना की माफ़िग के फलों में आ सकता है तो उसी जरिये से वाकायदा हथियार भी आ सकते हैं (व्यवधान)

**श्री सुरेन्द्रजीत सिंह अहलुवालिया :** आ रहे हैं।

**श्री जगदीश प्रसाद माथुर :** वैसे तो आ रहे हैं लेकिन इस गल्ले के थैलों की शक्ल में आ सकते हैं इस को रोकने के लिए सरकार क्या करना चाहेगी ? यह मेरे पांच सप्ताह का सवाल है जिनका मन्त्री जी जवाब दें। धन्यवाद।

**THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):** Prof. Chandresh P. Thakur. Please be very brief.

**PROF. CHANDRESH P. THAKUR (Bihar):** Madam, you are a charming person.

**THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):** That makes no difference.

**PROF. CHANDRESH P. THAKUR:** I have to accept your ruling. But the problem is that the news from Jammu and Kashmir is really chilling. What ever the Home Minister has said is incomplete and is rather late and yet it is chilling. The hour of reckoning for this Government is ticking fast, if it has not already come. The loss of life of such souls like that of the Vice-Chancellor and a Professional Manager in the HMT is really reprehensible. It is not a question of a person; it is a question of a symbol because they had not been involved in any activity which would have hurt any person. They have been identified as symbols in the society. They are trying to take such lives in order to transmit a message to the Government that it is walking, it is incapable and it cannot countenance them so far as their power to kill people at random is concerned.

My simple query is, if the negotiation has been in progress, what have been the terms of the negotiation? Secondly who were the parties negotiating from both the sides? Is it possible to identify and take the House into confidence? What has been the course of negotiation? What were the initial terms and what have been the subsequent terms? Is it a fact that Mr. Khera has been killed because the terms were not accepted? About the Vice-

Chancellor at least until this moment, the Home Minister has not conceded that he is no more while one Member of Parliament says that he is no more. If he is still alive, are the terms of the negotiation such which could be acceptable and what are those and how soon those will be accepted by the Government so that one precious soul is saved? Is there any guarantee that the Government has found newer ways to move in J & K? It had appointed a Minister for Kashmir Affairs. Today the very fact that that Minister is not here making a statements on behalf of the Government shows that perhaps he has been divested of the responsibility and the Kashmir affairs has been restored to the Home Minister. If that is the state of affairs, what are the new steps apart from divesting the portfolio from the Minister in charge and what is the possibility of the effectiveness of such steps which will forestall such ghastly events in the country?

**SHRI SUKOMAL SEN (West Bengal):** A few days back one Minister had been appointed in charge of Kashmir affairs and one Committee had been set up for the purpose. I would like to know what progress has been made by the Minister in charge and the Committee in respect of establishing any political contact in Kashmir.

Another clarification I would like to seek is as Mr. Mathur has said, Mr. Amanullah Khan, is acting from his base in the United States and his statement has come out in today's newspapers.

Whether the Government of India is taking up the matter with the United States or any other foreign country where the JKNLF or any other such organisations are basing themselves for subversive activities inside India. These are the two queries I am posing before the Minister.

**SHRI SANTOSH BAGRODIA:** Nobody is peacefully living in this country and if you are under their influence even we will not live peacefully.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): What did you say? I am sorry, I cannot allow all these things.

SHRI SANTOSH BAGRODIA: All right, I will withdraw. I did not mean anything to you. In a lighter way, I have said. Don't worry, I will withdraw those words.

Now, coming to the serious point, the Minister has said in his statement that the Students' Liberation Front has demanded release of three detained terrorists on the 9th April. I would like to know from the Minister, what effort the Government has made in these negotiations. Did he send a special team from here, not a Minister but at least a DIG or anybody at the lower level? Did you accept or refuse their terms for the release of all the three persons held hostage? What was their real demand? Did you try to bargain for the release of the three persons? The newspaper report says they wanted release of only one terrorist but your statement says they demanded the release of three detained terrorists. I would like to know whether they wanted the release of one terrorist or three terrorists. May I know whether you are willing to release one terrorist or three terrorists? The newspaper report from New York also says that the three persons held as hostages have been killed. I really do not know whether this Government knows about it or they knew nothing about it, in spite of their negotiations with them. These people from Jammu & Kashmir have contacted their counterparts in Assam and North-Eastern region. I would like to inform this Government that there are many new terrorist organisations coming up in the country; for example, Meghalaya United Liberation Army and Barak Liberation Front in the Barak valley area of Assam. Certain other underground organisations seem to have proliferated as a reaction to some existing organisations. They are, Minorities of Assam Liberation Army, Ahomi Mukti Force of Assam and Tribal Voluntary Force. Like this there is a

list of twenty names. I do not want to name all of them but I am only trying to tell him that unless there are terrorists nothing moves in the country today. Already many questions have been raised by my colleague, Fotedarji and before you ring up the bell, I would just like to tell.

एक शेर मैं पढ़ रहा हूँ जो आपके काश्मीर के लिए किसी ने फारसी में लिखा था :

“अगर फिरदौस बर रुये जमीं अस्त,  
हमी अस्तो, हमी अस्तो हमी हस्त।”

It was the paradise of the earth.

बेकल जी ज़ाते ज़ाते मेरे को कह गये कि उन्होंने जो शेर लिखा है आज की इस सरकार के आने के बाद वह शेर स्या हो गया है, यह आप देखें—

“आग का गोला लिए भारत का  
पूतम बन गया,  
खून की बारिश हुई खुद फूल शबनम  
बन गया,  
आपने जिस वक्त से काश्मीर का  
अंचल छुआ,

सरकार को, आपको बोल रहा हूँ मैं।

आपने जिस वक्त से काश्मीर का  
अंचल छुआ,  
सब जिसे जन्नत समझते थे, जहन्नम  
बन गया।”

SHRI CHIMANBHAI MEHTA (Gujarat): Madam Vice-Chairperson...

SHRI KAPIL VERMA (Uttar Pradesh): Three hours ago, I sent my name for seeking clarifications.

SHRI SYED SIBTEY RAZI (Uttar Pradesh): I gave my name much in advance.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): It is impossible to please all the Members. There is a time constraint. It is entirely the discretion of the Chair, Mr. Verma.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): It is entirely the discretion of the Chair.

SHRI SYED SIBTEY RAZI: There should be some rationale. There should be some principle... (Interruptions)... It is highly unfair... (Interruptions)... You have to do justice.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): That is what I am doing. It is impossible to please all the Members. It will take extra time if everybody goes beyond his time schedule... (Interruptions)...

SHRI SYED SIBTEY RAZI: I gave my name in the very beginning, but my name has been omitted. We will obey your instructions, but there should be some rationale behind it.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): I am sorry, it is not possible to please every Member... (Interruptions)...

SHRI SYED SIBTEY RAZI: It is not a question of pleasing any Member. You are the custodian of the rights of the Members and you have to do justice... (Interruptions)... You are not there to please anybody. You are there to do justice (Interruptions)...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): I am aware of it. I am aware of what you are saying... (Interruptions)... I am aware of the rights of Members. But there is the time constraint. I am sorry, it is not possible to call all the Members. (Interruptions)... The rules are that it is the discretion of the person in the Chair... (Interruptions)...

SHRI ASHIS SEN (West Bengal): It seems that one party is fielding a battery of persons to attack one person... (Interruptions)... It is the intention of that party to see that this Bill is not passed?... (Interruptions)...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Mr. Chimanbhai Mehta.

SHRI CHIMANBHAI MEHTA: I am extremely sorry to hear this shocking news about the kidnapping of Mr. H. L. Khera and abduction of the Vice-Chancellor and others. This is a question of national concern. I would not like to be partisan on this issue. It is not a question of scoring this or that point. Of course, some irrelevant remarks are made that Shri V. P. Singh should resign. Why should he resign? Should he resign for the mess that was created in the past?... (Interruptions)... Should he resign for the mess that you had created in the past and which he has inherited today? Is it his fault to carry this burden on his head? This is my question.

SHRI KAPIL VERMA: You were also a party to it. You have gone there only today... (Interruptions)... Till yesterday you were there.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Please don't respond to interruptions.

SHRI CHIMANBHAI MEHTA: Now the whole thing is this. I am asking the Home Minister whether national interest should precede or the party interest. This is what the whole confusion about. And every time the National Front Government tries to find a unified solution, these people do not help in making a unified national effort. This is very important. Therefore, how will you bring them round? Of course, they are also patriots and I have never challenged them. I do not challenge the patriotism of any party over here. My National Conference colleague also talked about it yesterday. Kashmir has to be treated as an autonomous territory. We cannot wish away the historical fact, but at the same time separatism has to be fought. How to contain this? Will the Home Minister clarify this point also?

[Shri Chimanbhai Mehta]

It is said that Draconian laws are there and they are being used against the people, but the terrorists are roaming about. If such questions are asked, how to answer them? Whether Draconian laws are required or not, what they call us Draconian law is harsh law and if it is required, may be that some innocent people are also to suffer. But the question is who is mainly suffering. Secondly, what is the policy of all the parties on this? The Home Minister should ask the parties concerned as to what the policy should be towards the kidnappers. Should there be negotiations with the kidnappers? Firstly, they say that you should negotiate. Then they say, you negotiate one for one, and then they say you negotiate five for one. What do they want? Let them come out with what they want. Let them not be only critical always of persons here because they are also responsible and they are supposed to solve this issue.

With regard to kidnapping, one should take a very strong stand. I say this because there are Naxalites with whom things are being negotiated by this Government or that Government. Now, coming to this issue, I would like to know one thing. What should be the policy in this regard and in regard to the maintenance of law and order?

SHRI V. NARAYANASAMY (Pondicherry): You ask the Home Minister.

SHRI CHIMANBHAI MEHTA: I am asking everybody because the Home Minister is going by consensus ... (Interruptions) ... When he goes by consensus, you say that he is surrendering because for you going by consensus means surrender and riding roughshod means ruling! So, I would request the Minister to explain all these points. Thank you, Madam.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Now, Mr. Motiram Patel.

SHRI VITHALBHAI M. PATEL (Gujarat): Madam, I would like to know whether there is any thinking in the Government or whether there is any proposal to seek the assistance of American Congressmen to negotiate with the Pakistani militants in Kashmir. This is one thing.

Secondly, I would like to know whether there is any thinking in the Government to negotiate with the Pakistan Prime Minister to settle this issue with the Kashmiri militants. In this connection, I would like to mention that last week you showed a lengthy film which shows the achievement of Mrs. Benazir Bhutto in one year. Was it connected with this in any way? If the Home Minister does not know this, let him contact the Foreign Office and let us know whether there is any thinking in the Government to contact Mr. Stephan Solarz or the Pakistani Government in this regard.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Now Mr. Khaleelur Rahman.

श्री मोहम्मद खलीलुर रहमान (आंध्र प्रदेश) : सडम वाइस-चेयरमैन, म सिर्फ दो-तीन कन्सिडरेशंस पूछूंगा और उससे पहले एक बात यह कहूंगा कि 6 अप्रैल को जो अगुआ का वाक्या हुआ है, वह खुद ही उस वाक्य को कंडेम करते हैं। इस वाक्य को कोई सियासी मसला नहीं बनाना चाहिए। मुझे अर्जेंट और इस हाउस के सीनियर तरीन मेंबर फोतेदार साहब से यह सुनकर बेहद अफसोस हुआ कि उन्होंने वजीरे आजम से इस तरह का मुतलबा किया इस लिहाज से वह एक पार्टी का, एक सियासी गेम खेलना चाहते हैं। मुझे उन से यह तबकों नहीं थी।

मैं एक कन्सिडरेशन पूछना चाहूंगा कि क्या वाइस चांसलर जनाब मसरूल हक साहब ने काश्मीर की गवर्नमेंट से सेक्युरिटी की मांग की थी और अगर सेक्युरिटी मांगी थी तो क्या वहां की गवर्नमेंट ने उनको सेक्युरिटी दी थी। दूसरी बात, म यह पूछना चाहूंगा, यह जो अभी मिनिस्टर

साहब ने स्टेटमेंट पेश किया है, इसमें 6 अप्रैल से अब तक क्या बातचीत हुई, क्या निगोजिएन्स हुआ, उसकी तफसीलात नहीं बताई गई है, तो कृपया बातचीत की तफसीलात के बारे में बताएं और यह बताएं कि उस बातचीत में क्या शरायतें थीं, क्या कंडीशन्स थीं ?

4 [ श्री محمد खलिल الرحمان ]

دہ آندھراپوڈیش : : میڈم وائس چہرمین یہ میں صرف دو تھن کلیریفیکیشنس پوچھونگا اور اس سے پہلے ایک بات یہ کہونگا کہ ۶ اپریل کو جو افوا کا واقعہ ہوا ہے وہ خود ہی اس واقعہ کو کڈم دوتے ہیں اس واقعے کو کوئی سیاسی مسئلہ نہیں بنانا چاہئے۔ مجھے عزیز اور اس ہاؤس کے سینئر ترین ممبر فوتے دار صاحب سے یہ سن کر بھکد افسوس ہوا کہ انہوں نے وزیر اعظم سے اس طرح کا مطالبہ کیا اس لحاظ سے وہ ایک پارٹی کا ایک سیاسی گیم کھیلنا چاہتے ہیں۔ مجھے ان سے یہ توقع نہیں تھی۔

میں ایک کلیریفیکیشن پوچھنا چاہونگا کہ کیا وائس چانسلر جناب مسرالحق صاحب نے کشمیر کی گورنمنٹ سے سیکورٹی کی مانگ کی تھی اور اگر سیکورٹی مانگی تھی تو کہا وہاں کی گورنمنٹ نے انکو سیکورٹی دی تھی۔

دوسری بات میں یہ پوچھنا چاہونگا کہ یہ جو ابھی ملستر

صاحب نے اسٹیٹمنٹ پیش کیا ہے۔ اس میں ۶ اپریل سے اب تک کیا بات چیت ہوئی۔ کیا نیگوشیایشنس ہوئے اسکی تفصیلات نہیں بتائی گئی ہیں۔ تو کریہا بات چیت کی تفصیلات کے بارے میں بتائیں اور یہ بتائیں کہ اس بات چیت میں کیا شرائطیں تھیں۔ کیا کڈیشن تھیں ؟

श्री संयद सिन्हे रजी : : मैडम, मैं बहुत कम समय लेना चाहूंगा। सबसे पहले तो मैं यह सवाल करना चाहूंगा कि जम्मू-कश्मीर के कितने कसबों के अंदर कितने शहरों के अंदर कर्फ्यू चल रहा है क्योंकि आपका ऐसा लगता है, जैसे एक डिस्टेरिशन का अंदाज वहां अपना लिया हो। आप न जाने कितने मासूम लोगों के घरों पर रेड्स डाल रहे हैं।

उसके अलावा, मैं यह जानना चाहूंगा कि क्या यह सही नहीं है कि आप राजनीतिक दृष्टिकोण से भी लोगों को परेशान कर रहे हैं, जिस तरह से मौलवी इस्तेखार अंसारी साहब के घर पर 212 मिलिटरी के लोगों ने आकर तलाशी ली और उनको वहां परेशान किया गया। आपने अब तक कितने लोगों को डिस्टेशन में लिया है ? और जो आप अभी 72 मिलिट्री को लेकर आए हैं एक खास तैयारी के जरिए, क्या उनमें यह तीन लोग भी शामिल हैं, जिनके बारे में यह बुझाने की बात कर रहे हैं ?

मैडम, मेरे यहाँ तीन सबालात हैं, जिन पर मैं होम मिनिस्टर साहब का जवाब चाहता हूँ। साथ ही यह एक्शेरेन्स भी चाहता हूँ कि जिस तरह से लोगों को परेशान किया जा रहा है, उसमें कुछ कमी लाने की कोशिश करेंगे। श्रुतियाँ।

PROF. SOURENDRA BHATTACHARJEE (West Bengal): (Madam, Vice-Chairman, I have just one observation to make.

Transliteration in Arabic Script

کیا کڈیشنس تھیں - ]

[Prof. Sourendra Bhattacharjee]

Mr. Fotedar has been in Government for quite some time and should very well admit that what has been happening in Kashmir or elsewhere in the country is a situation created by them. That of course does not mean that the present Government is absolved of the responsibility of what has been happening at present. The present incident is sufficiently depressing, sufficiently unnerving, in exposing the helplessness of the machinery, administrative and law and order machinery, in Kashmir itself. Therefore, the Minister should assure us on that point whether in Kashmir the machinery has been strengthened or not to take care of the law and order situation. From the facts of the case it does not seem so. Mr. Khera's car was held up... (Time-bell rings)... in a traffic congestion. That is, it was a crowded place, undoubtedly. How at 9.40 in the morning they could be taken away unobtrusively and how the Vice-Chancellor could be taken away by four or five terrorists...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Kindly conclude...

PROF. SOURENDRA BHATTACHARJEE: ...when students are expected to loiter about, if nothing else? After that I would request the Home Minister to state that apart from the question of negotiations, when because heat was on the terrorists and they were on the point of stumbling and ultimately handing over and they asked for relaxation of curfew at 3 a.m., so that there could be collective consultation on their part...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Kindly seek your clarifications.

PROF. SOURENDRA BHATTACHARJEE: On this point, I would like to know whether there was any such thing, whether this was refused and whether ultimately that led to the murder of Mr. Khera, which has been reported by the Home Minister, and

the unknown condition of the Vice-Chancellor and his Private Secretary. There is another aspect. This Amanullah Khan who announced the murder of all the persons did so from the United Nations Headquarters. This seems to be a bit strange. He is no doubt in the U.S.A. But the United Nations Headquarters is not a part of the U.S. sovereignty. It is an independent entity. So, he took advantage thereof. Now he may be at large in the U.S.A. It is for the Government of India to decide how his whereabouts will be pursued.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): I am calling the next speaker.

PROF. SOURENDRA BHATTACHARJEE: But the Home Minister should give some assurance regarding the future.

SHRI KAPIL VERMA: Madam, the statement of the Home Minister is indeed shocking. What he has told us this evening was broadcast all over the world last night, if he had taken the trouble of listening to foreign news. This morning's B.B.C. has told us many other things. Since time is short, I am going to ask pointed questions. An I.A.F. aircraft had taken 74 militants to Jammu. I am told that they have been interrogated. I would like to know from the hon. Minister they have been able to find out what exactly is happening there.

Secondly, is it a fact that the Additional Chief Secretary, Mr. Hameedullah Khan, met the father of the leader of the militants in Srinagar? He must have read all the details in today's 'Times of India.' Therefore, I am not going in details. I want to know, as some of my friends have suggested, what was the gist of the negotiations. Is it a fact that the negotiations broke down on a certain issue? What was that issue and how did the negotiations break down?

Now the Prime Minister of Pakistan has openly declared that she will wage



a 1000-year war. She has said it very clearly. Now it is very clear that they will do anything to get Kashmir. My suspicion is that our Government is so much hesitating on this issue. Its policy is so weak-kneed that sometimes I get jittery about it and sometimes I imagine that they are washing their hands of this problem. A demand has been made and there is an international convention also that if immediately next to the border there are camps or the things about which our Government has been talking have been happening, then hot pursuit is our right. If some people come from there or they are pushed into our area and they create disturbance here, then it is our right to destroy those points. Is the Government thinking about it? What is Government's reaction?

Lastly, the Minister had said the other day about a political solution and that the Law Officers are being consulted on the question as to whether the Assembly can be revived. What has happened about it? What progress has been made so that the political process can be started?

**DR. JINENDRA KUMAR JAIN:** Madam, in this hour of crisis I wish to make a statement that this is not the time to throw mud at each other or to look at the problem in a partisan manner. This is the time when the whole House, all the political parties and, in fact, all the people of this country must stand up with the Government to fight this menace of terrorism. But I would like to know from the hon. Home Minister as to where he places the problem of terrorism in his scheme of things. Does he consider this problem as a problem of political difference alone or does he take and recognise this problem of terrorists that these are the enemies of this nation, these are the enemies of human civilization and that this is the biggest challenge today that has been placed before the integrity and unity of this country? Madam, this clarification is necessary because un-

less we classify and clearly think as to where we place these terrorists, we will continue to be indecisive in our actions and will continue to vacillate in our decisions. I would like to make a plea that the time has come when the Minister must make his mind clear and should identify these anti-national, anti-social and anti-human elements as the sworn enemies of this society, and must pursue the policy of hot-pursuit. Wherever they are, they must be identified, they must be destroyed whether they are on this side of the border or wherever they are. Unless the Government shows that kind of firm determination, the national humiliation will continue to take place. It is not a question of the life of one or two citizens. Madam, we feel that it was a mistake that on the earlier occasion the Government showed leniency to the terrorists. There is no question of talking to these enemies of human civilization. Government must not show any kind of leniency. The minimum that the Government owes to the citizens of this country, Madam, is the protection of life liberty. And let nobody think that we are talking for the people of the rest of the country. The people who are suffering the most because of today's situation are the people in Kashmir. There is no life in Kashmir today. And it is for these people of Kashmir that I raise my voice today that the Government must do everything to save the people of Kashmir from the terrorists. (*Time-bell rings*) All Kashmiris are not terrorists, and all terrorists are not politicians. To give them concessions on the footing that you treat it as a political difference of opinion would be a blunder, and it is a challenge to the unity and integrity of this country. And Government must fight. And I want to make a plea that while I mobilise the whole public opinion in favour of the Government, the Government also must not vacillate. Now, something has been said here...

**THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):** Kindly seek clarifications.

DR. JINENDRA KUMAR JAIN:  
Madam, I will seek clarifications...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
Please conclude. There is no time.

DR. JINENDRA KUMAR JAIN:  
Thank you.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
Mr. S. S. Ahluwalia.

**श्री सुरेन्द्रजीत सिंह अहलुवालिया :**  
महोदया, मैं आपके माध्यम से जरा पूछना चाहूंगा कि कल इस सदन में जब हम कश्मीर के इशू पर आवाज उठा रहे थे तो गृह मंत्री जी ने कहा कि कल वह सदन में स्टेटमेंट लेकर आएंगे और ये शायद आज भी नहीं आते अगर अमानुल्लाह खान न्यूयार्क में बैठकर युनाइटेड नेशंस के दफ्तरे में बैठकर प्रेस कॉन्फ्रेंस नहीं करते, तो शायद इनकी नौद आज भी नहीं खुलती।

मैडम, अफसोस तो इस बात का है कि इनका जो स्टेटमेंट है, मैं इसको एफ० आई० और० कहूँ या जनरल डायरेक्ट कहूँ, कुछ पता नहीं लगता कि क्या हमारे सामने लेकर आए हैं। आप इस सदन के माध्यम से सारे मुक्त को एक पैसे देते हैं। आप जब एक मेबर पार्लियामेंट की डिमांड पर इस सदन में बहस करने के लिए अच्छा स्टेटमेंट नहीं ला सकते तो साधारण जनता को आप क्या समझा रहे हैं, यह इसमें जाहिर हो रहा है।

महोदया, क्या यह सच है कि हमीदुल्लाह खान जो एडिशनल चीफ सेक्रेटरी हैं जम्मू-कश्मीर के, वह किडनैप्स के साथ अपनी नैगोशिएशन कर रहे थे और दूसरे इस स्टेटमेंट के हिसाब से ऐसा लगता है कि जिस वक्त किडनैपिंग हुई थी, तब उस इलाके में कर्फ्यू नहीं था। घटना के बाद कर्फ्यू लगाया गया। उनकी एक डिमांड थी कि हम छोड़ने की बात बाद में करेंगे, पहले आप उस इलाके में कर्फ्यू हटाइए। उन्होंने ऐसा इसलिए कहा क्योंकि वे किडनैप्स को लेकर अभी कर्फ्यू वाउंड एरिया में बैठे हुए थे और निकल नहीं रहे थे।

The negotiations with militants through mediators, by Hamidullah Khan, the Additional Chief Secretary in charge of law, had a setback with the subversives demanding that the curfew should be relaxed before further talks.

उन्होंने फिर कहा—

We have achieved spectacular successes in arresting militants and recovering arms from their hideouts.

Asked about the details, they said, wait till tomorrow evening.

पर टुमरो ईवनिंग के पहले ही उन लोगों को मार डाला गया। अभी भी सरकार कह रही है कि सिर्फ एक मारा गया है। महोदया, अमानुल्लाह खान का जो स्टेटमेंट है उसके अनुसार सारे के सारे मारे गए हैं। अगर नहीं मारे गए तो मैं आपके माध्यम से मंत्री महोदय से पूछना चाहता हूँ कि हमीदुल्लाह खान ने क्या खेड़ा की लाश देखा है? अगर खेड़ा की लाश देखकर उन्होंने यह बताया है कि वह मारा गया है तो उनकी लाश कहाँ है यह बताने की कृपा करें।

महोदय, यह घटना पहली नहीं है। इस सरकार ने किडनैपिंग के साथ ही अपना काम शुरू किया था। मैं आपके माध्यम से सरकार से गुजारिश करूँगा कि आप एक मिनिस्ट्री ऑफ किडनैपिंग अफेयर्स शुरू कर दें क्योंकि किडनैपिंग होती रहेगी और हमें एक खेड़ा क्या कई खेड़ा खोने पड़ेंगे। खेड़ा मारा गया सिर्फ इसलिए कि उसका बाप, दादा कोई मंत्री नहीं था। मैं सेटीमेंटल बात इसलिए कह रहा हूँ कि आज उसके छोटे से बेटे ने यह मांग की थी राजा विश्वनाथ प्रताप सिंह से कि मेरे पिता की जो किडनैपिंग हुई है, उसके बारे में सरकार क्या करने जा रही है? डाक्टर खबिया को छुड़ाने के लिए यहां से स्पेशल प्लेन गए थे, और

भी मिनिस्टर गए थे और जाकर आप छुड़कर लाए और पांच आतंकवादियों को छोड़ा गया। आज मिस्टर खेड़ा को छुड़ाने के लिए जोरदार प्रयत्न क्यों नहीं किए गए जब कि वे बकिंग क्लास को खेलांग करते हैं। आज आप बताइए पूरे हिंदुस्तान में बकिंग क्लास की कौन रक्षा करेगा? वहां टेली कम्युनिकेशन सिस्टम है, इंडियन एयरलाइंस है, टी०ए०सी० है, एयरपोर्ट अथॉरिटी है वह सारे लोग जो स्टेट गवर्नमेंट और सेंट्रल गवर्नमेंट में काम करते हैं, उनकी सुरक्षा कौन करेगा?

महोदया, मैं आपके माध्यम से मंत्री महोदय से पूछना चाहता हूँ कि वे कितने लोगों को और मरवाएंगे इस्तीफा देने के पहले? इस्तीफा क्यों नहीं देते? क्या दिक्कत है? बी०जे०पी० भी आज चुप बैठा है जो बड़े गर्व से कहते थे कि बी०जे०पी० के मंत्री की अगर बेटी होती तो मुल्क के नाम पर कुर्बान हो जाती। मैं फिर कहना चाहता हूँ कि वे कब इस्तीफा देंगे? महोदया, मैं उनके इस्तीफे की मांग करता हूँ।

SHRI. H. HANUMANTHAPPA (Karnataka): Madam Vice-Chairman, I just request the Hon. Minister to react while replying to the clarifications. The news from Kashmir is coming from three different directions. One instalment comes from Srinagar about the terrorist activities. The second instalment comes from Jammu regarding the efforts of the Government of India in dealing with the Kashmir problem. I am watching this from the day the incident in Kashmir took place. (Interruptions). All our efforts, after the first delegations, if my information is wrong, the Minister may kindly correct me in his reply, but my information is that all our efforts, including that of the Coordination Minister have gone up to Jammu only and not beyond. Whatever teams have gone from Delhi have gone only up to Jammu. Delhi has gone only up to Jammu. It has not reached Srinagar.

SHRI T.R. BALU (Tamil Nadu): Including Rajiv Gandhi.

SHRI H. HANUMANTHAPPA: Mr. Balu, you should watch what is hap-

pening in the House instead of unnecessarily interrupting.

Madam, after the visit of the first delegation, we have not read any news from Srinagar about the efforts of this Government to deal with the Kashmir issue. The third news comes from New York today. I would like to know from the Home Minister whether all our efforts have stopped at Jammu, have not reached Srinagar and the Valley is isolated from all our efforts. If this is wrong, he may correct. This is one aspect.

Secondly, I am told, the wife and children of Mr. Khēra are in Delhi. I would like to know whether the Government of India has been able to meet them. I would like to know whether any officers of the Government have gone to console them. What efforts the Government has made, on its part, to reach the members of the bereaved family.

Lastly, how long the Government will go on saying 'you are responsible; you have created the mess; you have not dealt with it etc.? It is all right. You can say so across the table. But you are answerable to the people also. The people of this country, the people of the world, are expecting your reactions. You have already completed 100-125 days. For heaven's sake, don't go on showing your finger at us. It is all right. Across the table, it is okay. But you are answerable to the people. Kashmir is an integral part of the country. It became a bone of contention during the partition. It was so even after Independence. It still remains a bone of contention. The entire country is interested in solving the issue. Therefore, let us not politicise. I request you. Do not go on showing your finger at us and saying 'You have done this'. It is all right. There might have been mistakes. There might have been wrong actions. But that does not give you an authority to go on blaming this side and remain inactive. Therefore, for the sake of the country, for the sake of the people, please act instead of showing your finger at us.

[Shri H. Hanumanthappa]

Before concluding, Madam, one point. In the afternoon, I raised the issue about the bomb blast in Delhi. The Chair had agreed. The Chair had also joined in saying that the Home Minister should react during the course of the day. I hope, the Home Minister will react according to the direction of the Chair.

SHRI V. NARAYANASAMY: The Home Minister should make a statement.

**श्रीमती सत्या बहिन (उत्तर प्रदेश) :**  
उपसभाध्यक्ष महोदया, कश्मीर में रहने वाले हर व्यक्ति का जीवन खतरे में है और यह तीसरा स्टेटमेंट है जो बहुत बड़ी घटनाओं के लिए दिया गया है। जब पहला अपहरण हुआ था तो आतंकवादियों ने, अपहरणकर्ताओं ने सरकार की कमजोरी को नापा और उसमें जो सौदा हुआ उसमें देश को बहुत बड़ी कीमत चुकानी पड़ी और उसी श्रृंखला में उसी से प्रेरित होकर यह अपहरण-दर-अपहरण होते जा रहे हैं। दूसरे अपहरण में सरकार नाकाम-याब रही, न तो विधायक के जीवन की रक्षा हो सकी और ना ही कोई सौदा हो सका। तीसरे में भगवान जाने क्या होगा? लेकिन मैडम, मैं यह जानना चाहता हूँ गृह मंत्री जी से कि वहाँ पर जो सरकारी अधिकारियों या गैरसरकारी व्यक्तियों में काम करते हैं और जो महत्वपूर्ण व्यक्ति हैं और जिनके अपहरण की आशंका है कि जिनको अपहरण कर सरकार से समझौता या सौदा करने की नीयत रखते हैं तो उनकी सुरक्षा के लिए सरकार ने क्या कार्यवाही की, उनकी सुरक्षा के लिए क्या कदम उठाए? क्या उनको कोई सुरक्षा प्रदान की गयी है? दूसरी बात यह है जैसा कि सुना है और यह सच्चाई भी है जिन सरकारों दफ्तरों में कश्मीर के अंदर भारतीय, इंडियन या हिन्दुस्तानी नाम कहीं भी लिखा होता है तो उसको पोत देते हैं, उसके ऊपर कालिखपोत देते हैं तो उसके लिए सरकार क्या कर रही है?

मैडम, दूसरी बात मैं यह पूछना चाहती हूँ कि कश्मीर में शांति और व्यवस्था कायम करने के लिए इस वक्त

शासन नाम की वह कोई चीज नहीं है। उसकी व्यवस्था करने के लिए इस खुली सरकार के कविता वाचक प्रधान मंत्री खुली जीप में कब कश्मीर जायेंगे? जायेंगे या नहीं जायेंगे और जायेंगे तो कब जायेंगे? और गृह मंत्री अब कश्मीर का दौरा कर रहे हैं और वे सदन को इस बात का आश्वासन दें कि प्रधान मंत्री और गृह मंत्री क्या लोगों के अपहरण के संबंध में उतने ही चिंतित हैं जितने बंदी हबिया के लिए चिंतित थे और क्या वे उसी तेजी के साथ काम कर रहे हैं या नहीं कर रहे हैं?

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Yes, Mr. Minister.

SHRI VISHVJIT P. SINGH: Madam, you had allowed me.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): I have not allowed. The matter already been raised.

SHRI VISHVJIT P. SINGH: There have been two bomb blast inside police stations in Delhi, the Capital of India. The terrorism has come home to stay. My words have been prophetic. This Government has failed.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): This matter has already been raised, Mr. Singh.

SHRI VISHVJIT P. SINGH: Will the hon. Minister kindly give us some idea at the end of his speech as to what has happened in Delhi also? Will he do that?

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): This matter has already been raised. (Interruptions).

**श्री राम नरेश यादव (उत्तर प्रदेश) :**  
माननीया, मुझे सिर्फ यह निवेदन करना है ... (व्यवधान)।

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): I have called the Minister. I am not allowing any further (interruptions) Let the Minister begin.

**श्री मुफ्ती मोहम्मद सईद :** मैडम वाइस चैयरमैन, यहाँ हमारे सदस्यों ने जिस जज्बात का इन्हें किया है वह बिल्कुल हकजानिब है। लेकिन इसमें मेरे करीबी साथी फोतेदार साहब ने वहस को शुरुवात की। मुझे मालूम नहीं कि जो बातें उन्होंने नहीं, शायद पूरे ढंग से कश्मीर के हालात से वे वाकिफ हैं, जैसे मैं हूँ। हालात कैसे खराब हुए, क्यों हुए, वह जैसे मुझे मालूम है, वैसे ही आपको भी मालूम है। मैं उसमें जाने की इस वक़्त कोशिश नहीं करूँगा। यह बहुत मुश्किल काम है। जिन लोगों को, जिन अफसरों को, वहाँ जिम्मेदारी दी गई है, वह वहाँ जाकर हो मालूम हो जाएगा कि किन मुश्किल स्थितियों का उनको सामना करना पड़ा रहा है। यह वहाँ जाने पर ही मालूम होगा। मैं यह कहना चाहता हूँ कि बहुत मुश्किल हालात का मुकाबला करना पड़ रहा है। मुझे इस बात को खुशी है कि सेक्योरिटी फोर्स ने, वहाँ के एडमिनिस्ट्रेशन ने, पिछले एक महीने से हालात को काबू में लिया है। सबसे बड़ी बात जो हमारे बॉर्डर पर लाइन ऑफ एक्चुअल कंट्रोल है वहाँ पर पाकिस्तान के ट्रेनिंग सेंटर चल रहे थे, आज इस सर्दी में जब पहाड़ों पर बर्फ पड़ी रहती है, सरहद पर उड़ी और फरण सेक्टर में 156 आतंकीवादियों को पकड़ा है और 18 के करीब वहाँ पर एनफाऊन्टर में मारे गए हैं। अन्ततः में एनफाऊन्टर हुआ। वे एक घर से गोलीबारी चला रहे थे और सोपुर में भी ऐसे हालात हुए। श्रीनगर और बाकी ज़िलों में 6 अप्रैल, तक वहाँ कर्फ्यू नहीं था, सुबह से शाम तक ठीक था। वो० सी० श्री मुशीरुल हक को एडमिनिस्ट्रेशन की तरफ से, सेक्योरिटी फोर्स की तरफ से, डी० जी० पुलिस की तरफ से, कहा गया आपकी सेक्योरिटी जरूरी है, लेकिन वे खुदावरस्त आदमी थे, उन्होंने कहा कि मुझे किसी की हिफाजत की जरूरत नहीं है। इसी तरह से श्री खंडा के पास एक० एम० टी० की जो सी० आई० एस० एफ० की सेक्योरिटी होती है वह थी, उनके साथ सेक्योरिटी का आदमी था। इस में यह है कि एक साफ टारगेट आम बलते चलते अफसर को पकड़ कर उन्होंने एक

माहौल को जो नार्मलाइज्ड सिचुएशन थी (व्यवधान) आप मेरी बात सुनिए (व्यवधान) बाद में पृष्ठ सकते हैं (व्यवधान)।

7 P.M.

**SHRI JAGESH DESAI:** No, no, I want to raise a question about what you are saying. The security was provided by the Government or by the HMT?

**श्री मुफ्ती मोहम्मद सईद :** सेंट्रल पब्लिक अंडरटेकिंग में सी० आई० एस० एफ० उनकी अपनी सिक्यूरिटी होती है। मेरा कहना यह है कि जब यह खबर मिली तो उसी वक़्त बहुत फ़र्मली वहाँ एडमिनिस्ट्रेशन चौकन्ना हो गई और हरबात में आ गई। उन दिनों में 300 रेड्स और सर्वेज आर्डर किए गए हर जगह बटमालू में, श्रीनगर के इलाके में जिसका नतीजा यह हुआ कि 35 हार्ड कोर मिलिटेंट्स अरेस्ट किए गए। इसमें सब से ज्यादा एक जावेद जरगर, फ़ारूख गंदरू और शौकत बरथी और सोकाल्ड कमांडर इन चीफ़ यासीन मलिक थे उसको गोली लगी जख्मी हुआ, किसी ने वहाँ अस्पताल में लिया। इस दौरान 114 मिलिटेंट्स को राउंड-अप किया गया। (व्यवधान)

**श्री विश्वजीत पृथ्वीजीत सिंह :** क्या उसको गवर्नमेंट अस्पताल में ले जाया गया ?

**श्री मुफ्ती मोहम्मद सईद :** मैं यह कहना चाहता हूँ कि उनका सब से बड़ा जो लीडर था वह सख्त शदीद हालत में जख्मी हुआ उसको अस्पताल लाया गया और अस्पताल (व्यवधान)

**श्री विश्वजीत पृथ्वीजीत सिंह :** भाग गया।

**श्री मुफ्ती मोहम्मद सईद :** मैं मानता हूँ भाग गया। तो इन हालात में मिलिटेंट्स श्रीनगर में (व्यवधान)  
Please, let me speak. I did not interrupt anybody.

**श्री राम अवधेश सिंह (बिहार) :**  
मैं यह जानना चाहता हूँ कि कश्मीर  
में टोटल टैररिस्ट कितने हैं (व्यवधान)

**THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):**  
This is not a Question Hour. Kindly let him complete. You cannot interrupt him when he is giving his reply. Please let him speak.

**श्री मुफ्ती मोहम्मद सईद :** मेरा यह कहना है the terrorists are under tremendous pressure because we have readily found out their hide-outs. यह जो चार पांच टाप के मिलिटेंट छिपे थे उनके बारे में इंटीलीजेंस नेटवर्क ने इनफार्मेशन जो दी वह बिल्कुल एक्यूरेट इनफार्मेशन थी कि शहर में नरवरा एक गह है वहां पर थे। वहां जा कर हमारे कमांडोज ने एक्शन लेकर के उनको पकड़ लिया। यह सही है कि एडमिनिस्ट्रेशन की तरफ से हमीदुल्ला खान माहब जो अडिशनल चीफ मैकेटरी हैं वह बात-चीत कर रहे थे। इस बीच में अमानुला खान का कल स्टेटमेंट आया। यह बिलकुल गलत है। आज सुबह तक जहां तक वाइम चामलर मुशीरउल हक का सवाल है, उसके साथ दूसरा है, अभी तक हमारी इनफार्मेशन नहीं है, जो अमानुला खान ने कहा है न्यूयार्क में हो सकता है उसकी डायरेक्शन होगी मिलिटेंट्स को जब उसने कह दिया कि कर दिया गया है। उसकी पब्लिसिटी मारे इंटरनेशनल नेटवर्क पर हुई बल्कि हमारे जो डेली न्यूज पेपर हैं उन्होंने भी बनर लाइन दी मुमकिन बात है, डायरेक्शन हो सकती है कि जो होस्टेज लिए गए हैं उनका कत्ल किया जाय, उसके बाद उन्होंने यह किया। अभी मुशीरउल हक और दूसरा जिन्दा है हमारी जो इत्तेला है उनको किसी ने मारा नहीं। लेकिन बटमालू में 2.15 पर उन्होंने मीर मुस्तफा की लाश छोड़ी थी आज वही पर 2.15 पर श्री एच० एल० खेड़ा को लाश मिली। यह भी सही है कि बटमालू आज से नहीं 1965 के जंग में भी यहीं पर इन्फिल्ट्रेज को

भेजा गया था, उस वक्त भी इन्फिल्ट्रेज वहां मिले थे। हमारी जो एडमिनिस्ट्रेशन और थिक्थोरिटी फोर्स है। वहां ज्यादा कामिबग करने आपरेशन करने की जरूरत है। वह फंडामेंटलिस्ट्स का गढ़ बना हुआ है। उस पर तबज्जह देने की जरूरत है।

दूसरा जो हमारे साथी ने यह कहा तो जितने भी सेंट्रल इंस्टीट्यूशन हैं, चाहे बैंकिंग इंस्टीट्यूशन हैं, टेलीकम्यूनिकेशन का है, टेलीविजन, रेडियो हैं हमने यहां अपील की है इम्प्लाइज से कि एज ए नेशनल ड्यूटी करें अपनी फैमिली को यहाँ छोड़कर। यह उनकी नेशनल ड्यूटी है अब कहते हैं कि देश का झण्डा बुलंद करना है जब यहां भारत का हिन्दुस्तान का हर एक रहने वाला इन्सान डर जाएगा वहां जाने से तो फिर कौन जाएगा। यह सिर्फ पैरा मिलिट्री फोर्स, सी० आर० पी० एफ० और बी० एस० एफ० का काम नहीं है कि हिन्दुस्तान का भारत का झण्डा वहां गाड़ें। किन मुश्किल हालात में उन्होंने वहां काम किया। जब सदी होती है, जब बर्फ होती है तो 24 घंटे रास्ते में बैठे बैठे वे नेशनल ड्यूटी देते हैं। मैं कहना चाहता हूँ कि बहुत रिस्केन से वे काम करते हैं जब लोग कहते हैं कि आतंकवाद के साथ निपटना है, कहते हैं कर्फ्यू क्यों हो जाता है, तलाशी क्यों होती है। जब ऐसी हरकतें होती हैं, जब इन लोगों को कुछ लोग पनाह दें, जब लोग घरों में साभान दें, उनका पता नहीं बतायें तो क्या करेंगे। यह जरूरी है। इसलिए मैं दीपेन घोष जी ने यह कहना चाहता हूँ कि हमारी यह कोशिश है कि हर एक नेशनल इंस्टीट्यूशन जो है चाहे वह बैंक हो या कोई हमारे देश का जो भी निशान है उस निशान को वहां जिंदा रखना है। हमने एक स्पेशल ड्राइव किया है। हमने अपील की है इम्प्लाइज से चाहे वे बैंकिंग इंस्टीट्यूशन से ताल्लुक रखते हों, टेलीकम्यूनिकेशन से ताल्लुक रखते हों या किसी सेंट्रल विभाग से ताल्लुक रखते हों हमने उनसे कह दिया है कि स्पेशल एलाउंस देकर उनकी रक्षा का अलहिदा इंतजाम किया जाएगा, उनको एक सेंटर में रखा

जाएगा। जो हमारे काश्मीर अफेयर। मिनिस्टर हैं उनसे हमारा कोआर्डिनेशन है उनसे हमेशा बात हुआ करती है कि क्यों हुआ, कैसे हुआ। उनका काम यह है कि डिफरेंट डिपार्टमेंट के साथ काआर्डिनेट करके व्यवस्था करें, इंतजाम करें, जिस भी मिनिस्ट्री से ताल्लुक हो ताकि सेंट्रल इन्स्टीट्यूशन वहां रहें। तो उस सिलसिले में हम कोशिश कर रहे हैं कि टेलीविजन भी, रेडियो भी बैंकिंग भी और टेली-कम्प्यूनिकेशन आदि वहां रहें। वहां हालात को संभालने की जरूरत है।

दूसरा यह भी कहा गया कि कम्पेन-मेशन क्या है? जो आतंकवाद का शिफार हो गए हैं, जो लोग मरे हैं वहां के गवर्नर ने बहुत अच्छे ढंग से उनके डिपेंडेंस को एक लाख रुपए के मुआवजे का कम्पेनमेशन तय किया है और इसमें कोई डिले नहीं है। हर एक में। जो वह लाख कौल मरा था उनको एक लाख रुपया दिया था और अगर उनके कोई डिपेंडेंट है जो इम्प्लायमेंट चाहते हैं तो वह इम्प्लायमेंट भी वे दे रहे हैं। इसमें कोई ऐसी बात नहीं है।

दूसरा यूनिवर्सिटी कैम्पस जो है वहां सिक्पोरिटी का पूरा इंतजाम है क्योंकि वहां यूनिवर्सिटी के अंदर रेजीडेंशियल कालोनी है जिसको पूरी की पूरी सिक्पोरिटी दी गयी है। दूसरा यहां कुछ साथियों ने यह दिया कि स्टीफन सोलार्ज के साथ नेगोशियेट किया है। हमने यह साफ़ कह किया है, प्राइम मिनिस्टर की तरफ से यह है कि

Kashmir is not negotiable.

जब पाकिस्तान की प्राइम मिनिस्टर सिमेल भूट्टो की तरफ से आया तो यहां से भारत सरकार ने यह बिल्कुल साफ़ अलफ़ाज में कह दिया कि जम्मू काश्मीर पर कोई सौदा नहीं हो सकता है। जैसे देश की अखंडता पर कोई सौदा नहीं हो सकता, जम्मू काश्मीर के सवाल पर पाकिस्तान के साथ कोई बात करने का सवाल नहीं है।

Kashmir is an integral part of India.

तो इसलिए पाकिस्तान के साथ सफ़ाई से बात की है। पाकिस्तान के साथ डील करता है जो ट्रेनिंग दे रहा है।

आपको यह सोच लेना चाहिए। पिछले तीन महीने से पाकिस्तान में कई इश्यू हैं, मुझे मालूम नहीं, जैसे उनकी अपनी अंदर की लड़ाई कितनी है, पाकिस्तान में कितने पावर सेंटर्स हैं, चाहे अमर्गो है, चाहे प्रेजीडेंट है, चाहे नवाज शरीफ़ है। वहां १०० करोड़ में जाकर बेनजीर ने 10 करोड़ के फंड का ऐलान किया है। और जहां वह इन लोगों को ट्रेनिंग दे रहे हैं, इंटरनेशनल प्रेस को वहां लाकर कहते हैं कि यहां यह रिफ्यूजीज काश्मीर से आये हैं। पर वहां काश्मीर का कोई नहीं गया है।

हमारी आम्ड फ़ोर्स का बिहेवियर जो है, वह एग्जैम्पलरी है। 1947 से लेकर आज तक काश्मीर में वहीं कोई ऐसी मिमाल नहीं है कि हमारे सेक्यूरिटी फ़ोर्स ने किसी के साथ कोई बदसलूकी की हो, बल्कि उन इलाकों में अस्पतालों का इंतजाम है।

हमारे यहां से कोई पाकिस्तान में या आक़ुपाइड काश्मीर में रेफ्यूजी नहीं गया। लेकिन उन्होंने रेफ्यूजी कैम्प उसको बताया जहां वह ट्रेनिंग देते हैं और उन्हें पैसे देते हैं और सामान देते हैं और उनको भेजते हैं। उसका हमें मुकाबला करना है और हमने काफ़ी कोशिश की है कि जितने भी अंदर आने की कोशिश करें, हरेक रास्ते पर हमने पूरा इंतजाम रखा है।

तो यही मेरे खयाल में सवाल था, कोई और सवाल नहीं था। तो यह कोशिश होगी, इनके ऊपर जितना दबाव बढ़ जाएगा, उतनी यह कोशिश करेंगे आम अदमियों को पकड़ने की—उससे हर वक्त यह सवाल आ जाता है, जैसा फ़ोतेदार साहब ने कहा।

फ़ोतेदार साहब रेकार्ड देखें, 13 दिसम्बर से पहले, उस वक्त की जो आपकी कोयलिशन सरकार थी, कांग्रेस और नेशनल वार्कफ़ की—

Seventy-five hard-core terrorists were released. I will show you the order.

[ श्री मुफ्ती मोहम्मद सईद ]

सारे के साथे 75 रिलीज किये गये। अब एक ऐसी घटना हुई, उसी से सारा माहौल—में यह नहीं कहते हैं कि कैसे कश्मीर की समस्या पैदा हुई, कौन लोग उसके जिम्मेदार हैं?

क्या आपका खयाल नहीं गया कि नील कंठ गंजू, जिसने मकबूल भट्ट को फ्रांसी की सजा दी थी, उसको कैसे सड़क पर मारा गया? तीन घंटे तक उसकी लाश किसी ने नहीं उठाई। आपको मालूम है कि टीका लाल टिपलू को वहां किसने घर के बाहर कतल किया? उस वक्त किसी आदमी का जमीर नहीं था। उस वक्त यहां जमीर नहीं था।

SHRI MAKHAN LAL FOTEDAR: Are you justifying this?

SHRI DIPEN GHOSH: Your Government had justified it. (Interruptions)

SHRI MUFTI MOHAMMAD SAYEED: I say that when Nilakanth Ganjoo who was a Judge of the Sessions Court and who had given the death sentence to Maqbool Bhatt, was killed, his body was there for three, four hours. Nobody touched it. When Tikalal Tapiloo was killed near his house, in spite of the fact that there were so many people... (Interruptions)

SHRI DIPEN GHOSH: Hartal was observed on the Independence Day. (Interruptions)

श्री मुफ्ती मोहम्मद सईद : उस वक्त आपका जमीर नहीं था। उस वक्त आपकी सरकार कहाँ थी? जब आपकी लोक सभा के चुनाव में 2 परसेंट से ज्यादा वोट नहीं आए, उस वक्त सरकार कहाँ थी? ... (व्यवधान) मैं कहता हूँ कि जो तबाही हुई, उसके लिए जिम्मेदार कौन है? ... (व्यवधान) मैं हरेक बात के लिए तैयार हूँ। ... (व्यवधान)

श्री माखन लाल फोतेदार : आपको शर्म आनी चाहिए। ... (व्यवधान)

Who was responsible?

SHRI DIPEN GHOSH: What did you do? On the day of Independence you observed hartal.

श्री मुफ्ती मोहम्मद सईद : हम किसी के कहने पर यहां नहीं आए। हमें लोगों का मेनडेट मिला है। लोगों के जोर से हम यहां आये हैं। ... (व्यवधान) आ कहते जाइये। ... (व्यवधान) हम आपसे डरने वाले नहीं हैं। ... (व्यवधान)

एक माननीय सदस्य : किसने बर्बाद किया?

SHRI MUFTI MOHAMMAD SAYEED: Seventy-five hard-core terrorists were released. You do not know. Your people were responsible for it.

आप अपने गिरहबान में देखिये कि आपने वहां क्या किया? आई नो, जो लोग कांग्रेस का, हिंदुस्तान का झंडा उठा रहे थे, उनका आपने क्या हाल किया। मैंने वह देखा है और आप कहते हैं कि पांच लोगों के छोड़ने से सारी सिचुएशन बदल गई है। ... (व्यवधान)

जो 75 टैरोरिस्ट्स फ़ाख़्ख़ अब्दुल्ला की सरकार ने छोड़े थे, उसका कोई सवाल नहीं ... (व्यवधान) जो एडमिनिस्ट्रेशन उससे मिली हुई थी, उसका आपके पास क्या जवाब है? ... (व्यवधान) उसके लिए कौन जिम्मेदार है? ... (व्यवधान) आपके शोर करने से कुछ नहीं होगा।

We cannot tolerate this. (Interruptions)

ऐसे तो बात नहीं चलेगी। ... (व्यवधान)

SHRI V. NARAYANASAMY: Madam, what is their plan?

SHRI MUFTI MOHAMMAD SAYEED: Mr. Fotedar started all this provocation. Otherwise this would not have happened like this. (Interruptions)



SHRI MAKHAN LAL FOTEDAR:  
Madam Chairperson, we asked this question... (*Interruptions*)

श्री मुफती मोहम्मद सईद : क्वश्चन  
नहीं मैडम, मुझे खत्म करने दोड़िए ।  
... (*व्यवधान*)

No, this is not the way. (*Interruptions*)

SHRI MAKHAN LAL FOTEDAR:  
Madam, I am on a point of order.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
He is on a point of order. (*Interruptions*)

SHRI MOTURU HANUMANTHA  
RAO (Andhra Pradesh): Madam, all  
of us had kept quite silent when he  
was speaking and now he is... (*Interruptions*)

SHRI MUFTI MOHAMMAD  
SAYEED: I have been listening to  
them for the last few hours. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
Kindly let the Minister... (*Interruptions*)

SHRI MAKHAN LAL FOTEDAR:  
Madam, I want to say because he has  
lost his temper... (*Interruptions*)

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
I have allowed Mr. Fotedar to rise on  
a point of order. Kindly let him state  
it. (*Interruptions*)

SHRI DIPEN GHOSH: Mr. Vice-  
Chairman, is Mr. Fotedar going to  
explain under what conditions 125  
hardcore terrorists were released dur-  
ing Dr. Farooq Abdullah and Con-  
gress (I) Government? Is he going to  
give a reply on that? (*Interruptions*)  
These hardcore terrorists were detain-  
ed by the Police and they were releas-  
ed by that Government. (*Interruptions*)

SHRI MAKHAN LAL FOTEDAR:  
Madam,...

SHRI MUFTI MOHAMMAD  
SAYEED: Madam, he cannot interrupt  
me like this.

SHRI MAKHAN LAL FOTEDAR:  
Madam, we asked this question more  
than... (*Interruptions*)

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
Let him complete his point of order.  
(*Interruptions*)

श्री मुफती मोहम्मद सईद : किस  
प्वायंट पर बोल रहे हैं ; .. (*व्यवधान*)  
ऐसे शोर से नहीं । ... (*व्यवधान*)

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
The time is now 7.30 and there are  
still two items on the Agenda of the  
House. The Members should coope-  
rate. Kindly allow him to raise it. If  
there is no point of order, I will rule  
it out. I have to hear what it is. Every  
Member at any point has a right to  
raise a point of order. If there is no  
point of order, I will rule it out.  
Kindly let us hear him. I have allow-  
ed him.

SHRI MAKHAN LAL FOTEDAR:  
Madam Vice-Chairman, we asked this  
question more in anguish than  
in anger. (*Interruptions*)

SHRI DIPEN GHOSH: Under what  
rule is he raising the point of order?

SHRI M. A. BABY: Madam, he is  
making a speech.

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
Please state your point of order, Mr.  
Fotedar.

SHRI MAKHAN LAL FOTEDAR:  
Madam, I am coming to that.

SHRI JAGDISH PRASAD MA-  
THUR (Uttar Pradesh): Madam, kind-  
ly let him quote the rule under which  
he is raising the point of order. Ask  
him to quote the rule first.

SHRI MAKHAN LAL FOTEDAR:  
I may tell Mr. Mathur that the Chair  
does not need any guidance from him.  
She is very learned. She is an advo-  
cate of the Supreme Court and she is  
an experienced Parliamentarian. The  
very fact that she has permitted me

[Shri Makhan Lal Fotedar]  
to speak shows that I have a point  
to make. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
Kindly let us conclude the business  
of the House. Let him raise the point  
of order. If there is no point of order,  
I will rule it out.

SHRI M. A. BABY: Under what  
rule he is raising his point of order?  
Is he raising his point of order under  
"anguish"? Is it under the rule book?

SHRI MAKHAN LAL FOTEDAR:  
Mufti sahib has to learn one thing  
from me, how to swallow anger. He  
must know about it. He started on a  
very good note but ended very pathet-  
ically. The question is very simple...  
... (*Interruptions*) ...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
You have all made your minds very  
clear. Now, let him complete it. I  
have allowed him to speak. There is  
no point in interrupting him. Let him  
speak. You cannot interrupt every  
sentence.

SHRI MAKHAN LAL FOTEDAR:  
Madam Vice-Chairman, we have con-  
fined our remarks and clarifications  
only to the point of kidnapping of the  
three persons in Srinagar. I happen  
to belong to the same State to which  
the Home Minister also belongs, yet  
I am not stating what is actually hap-  
pening in Kashmir. The Home Minis-  
ter has referred to certain incidents  
which took place under the previous  
Government. I am not holding any  
brief for the then Kashmir Govern-  
ment but I am only concerned with  
today's situation. They have to deal  
with the present situation and it is  
now for them to govern. In case they  
cannot govern, they should go. That  
is the point. It is very simple. Why  
are they accusing us that we have not  
done this or that?... (*Interruptions*)...  
I am coming to the point of order.

SHRI M. A. BABY: Is this his point  
of order?

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
Let him complete.

SHRI MAKHAN LAL FOTEDAR:  
My point of order is not to create dis-  
order in you but to create order  
amongst you. That is the point.  
Madam, one point is that the Home  
Minister must confine his speech or his  
reply to the points of issue. Under  
what circumstances and at whose in-  
stance these people were kidnapped  
and what has led to this situation?

SHRI DIPEN GHOSH: Is this his  
point of order?

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
There is no point of order. The Minis-  
ter will reply... (*Interruptions*)... I  
have to hear what the Members are  
saying. I cannot shut out the Mem-  
bers from speaking.

SHRI MUFTI MOHAMMAD  
SAYEED: I have already made it  
clear that we have to tackle the prob-  
lem of Kashmir; we cannot blame you.  
It is we who are responsible to tackle  
the problem in Kashmir. I assure you  
that the present administration in  
Srinagar has taken a number of effec-  
tive measures to contain terrorism...  
... (*Interruptions*) ...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN):  
Let him complete. Kindly don't inter-  
rupt him any more. I am not allowing  
any further interruptions.

SHRI MUFTI MOHAMMAD  
SAYEED: Madam, there has been a  
breakthrough as far as checking of  
infiltrators across the border is con-  
cerned. A number of measures have  
been taken inside the Valley. A num-  
ber of hide-outs of the militants have  
been searched and it proved a suc-  
cess. About 875 subversive elements  
have been arrested. So militants are  
under tremendous pressure. They have  
chosen this soft target of kidnapping.  
We have imposed curfew. The re-  
quest of the militants was that the  
curfew should be relaxed. It is not  
their writ which runs as was the  
practice during the previous regime.

Now it is the writ of the administration... (Interruptions) ... You do not know the situation. What was the situation earlier? Now it is the writ of the Government of India, it is the writ of Mr. Jagmohan, the Governor, it is the writ of the State administration which is running. We will not relax curfew when militants ask us to do so. That is not our job. That is what our job is. We will not succumb to any pressure... (Interruptions) ...

THE VICE-CHAIRMAN (SHRI-MATI JAYANTHI NATARAJAN): Please don't interrupt the Minister. Let him complete his reply first... (Interruptions) ... Now, we shall take up the Commissions of Inquiry (Amendment) Bill, 1990. Shri Mufti Mohammad Sayeed ... (Interruptions) ... I have called the Home Minister ... (Interruptions) ... The Commissions of Inquiry (Amendment) Bill. I can't force the Minister. If he is willing to make a statement, it is O. K. ... (Interruptions) ... If he is ready, he can make a statement. I have no objection. But I cannot force the Minister to come forward with any statement. We can now take up the Commissions of Inquiry (Amendment) Bill. If the House agrees, we can pass this Bill without discussion. ... (Interruptions) ... Yes, Mr. Minister.

#### COMMISSIONS OF INQUIRY (AMENDMENT) BILL, 1990

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SOYEED): Madam, I beg to move:

"That the Bill further to amend the Commissions of Inquiry Act, 1952, as passed by the Lok Sabha, be taken into consideration."

Madam, under sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952, the Central Government or the State Government may appoint a Commission of Inquiry for the purpose of making an inquiry into any definite matter of public importance. Before the Commissions of Inquiry Act, 1952 was amended in 1986, it was obliga-

tory for the appropriate Government under sub-section (4) of section 3 of the Act of 1952 to lay the report of the Commission of Inquiry appointed under sub-section (1) thereof before the House of the People or, as the case may be, the Legislative Assembly concerned, together with the Memorandum of Action Taken thereon within a period of six months of submission of the report. However, in 1986, it was considered by the previous Government that when a Commission of Inquiry is appointed to inquire into sensitive matters of public importance such as those having a bearing on defence, national security, personal security of high dignitaries, friendly relations with foreign powers, the inquiry report may contain materials of a highly sensitive nature and, as such, it may not be in the public interest to lay such reports before the Lok Sabha or the Legislative Assembly of the State. In order to cover situations like these, section 3 of the Commissions of Inquiry Act, 1952 was amended by a Presidential Ordinance promulgated on 14-5-86 under subsection (5) and sub-section (6) of section 3 of the Act. The Ordinance was replaced by an Act of Parliament in August 1986. This amendment provided that if the appropriate Government is satisfied that, in the interest of the sovereignty and integrity of India, security of the State, friendly relations with foreign States or in public interest, it is not expedient to lay the report before the Lok Sabha or the Legislative Assembly of the State concerned, the report of the Commission of Inquiry may not be so laid provided a notification to that effect is issued within six months of the submission of the report and approval of the Lok Sabha or the Legislative Assembly of the State to the notification is obtained.

The present Government has reconsidered the matter and is of the view that the people have a right in any circumstances and the public to information. A Commission of Inquiry is set up for the purpose of making an inquiry into any definite