

end to produce better scooters in this unit, to compete in the market in his country we are doing this. With this good intention we are doing it. There is no bad intention on the part of the Government. I can assure the hon. Members that in the interest of the nation we are doing it. There is no wrong or bad intention on the part of the Government. I am assuring this, through your sir to all the Members.

SHRI GHULAM RASOOL MATTO: Will the hon. Minister assure that employment will be ensured to all the employees?

THE VICE-CHAIRMAN (SHRI HANUMANTHAPPA): He has said it.

SHRI GHULAM RASOOL MATTO: To all the employees?

THE VICE-CHAIRMAN (SHRI HANUMANTHAPPA): He said it.

The House stands adjourned for lunch till 2. 30 p. m.

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

The House\* reassembled after lunch at thirty minutes past two of the clock, THE DEPUTY CHAIRMAN in the Chair.

#### STATEMENT BY MINISTER ON PUNJAB

SHRI M. S. GURUPADASWAMY: (Karnataka): Madam Deputy Chairman, I rise on a point of order.

AN HON. MEMBER: On what?

SHRI M. S. GURUPADASWAMY: He is making a statement on Punjab. That has been announced. On that I am making a point of order.

May I submit, Madam, that the Proclamation issued in respect of the State of Punjab on May II, 1987

gives authority to the President by Clause K1) (C) of article 356, to make incidental and consequential provisions as may be necessary or desirable for giving effect to.; he objects of the Proclamation. The Order has been issued yesterday, on Sunday. Perhaps the stand taken by the Government is that this is an order under clause (c) of article 356 of the Constitution. Therefore, this order can be issued by the President under the Constitution at any time and the same need not be laid on the Table of the House. If you look at the article, article 356.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Sub-clause?

SHRI M. S. GURUPADASWAMY: Sub-clause (; &), Perhaps the Government\* would like to take the plea that the Order is issued dissolving the Assembly under the Proclamation issued already on 11th May, 1967, and, therefore, the Government is entitled to issue the order at any time and they need not issue the order on the day when Parliament is in session. The Constitution is silent, i. e., article 356, does not explicitly give power to the Government that the order issued under the Proclamation need not be placed on the Table of the House. My plea is that since the Proclamation has to be placed on the Table of the House, that covers also clause (c) of article 356, and this order is a part of the Proclamation issued under article 354. Therefore, this order should have been announced, should have been made, on the day when Parliament is in session. Yesterday was Sunday, it was a holiday, and we have met today and the very fact that the Home Minister, has come forward to make a statement on this order shows, that the Parliament should be

[Snn M. S. Gurupadaswamy] "taken into confidence. Otherwise there was no need for making such a statement if he takes shelter under the plea that orders need not be placed on the Table of the House and these orders need not be announced when Parliament is in session. Therefore, my view is that the Home Minister -has contravened article 356, particularly sub-clause (c) of that article. My further submission is, when Parliament was in session, and is in session, Heavens would not have fallen if he had waited for a few hours more, and if he had made the announcement today when we have met, perhaps, he would have been on the right. By making this Order yesterday in my view, he has violated the Constitution, violated the spirit and the objective of article 356. Parliament, Madam, has to be supreme; it has to be paramount in all such matters. The executive Order in this regard has violated the objective and the spirit of article 356. Therefore, the Order passed by the Government contravenes the provisions of the Constitution, and Parliament has to take note of it.

THE MINISTER OF STEEL AND MINES (SHRI MAKHAN LAL FOTEDAR): He should speak only after the Minister has made the statement.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Madam, I also want to say something.

THE DEPUTY CHAIRMAN: He raised a point of order. In that case, what happens is, each leader of each group wants to speak, and if I say, no, they take objection. So, if I allow you, - I hope nobody else wants to speak; otherwise I cannot allow.

SHRI M. S. GURUPADASWAMY: Statement can be there later.

THE DEPUTY CHAIRMAN: You raised a point of order, and on that there is no debate supporting your point: of order and like that. Let

the Minister make the statement. Or would you like to reply first to the point of order raised by Mr. Gurupadaswamy?

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Madam Deputy Chairman, as the House is aware...

SHRI PARVATHANENI UPENDRA: No, we want your ruling on the point of order.

SHRI M. S. GURUPADASWAMY: The Minister may first want to meet my point of order.

SHRI JAGESH DESAI (Maharashtra): Minister has tightly started making his statement. There cannot be any point of order unless he has made the statement. How can there be a point of order?

SHRI M. S. GURUPADASWAMY: He has contravened the Constitution by issuing the Order yesterday. That is my point of order.

SHRI VISHVJIT PRITHVIJIT SINGH (Maharashtra): I take strong objection to it, Madam. He himself said just now while raising his point of order that the Constitution is silent on that point; I am quoting his exact words. There is no specific provision in the Constitution and in the article which has been quoted by the hon. Member, which specifies that Government has to do it according to the manner explained by the hon. Member.

SHRI M. S. GURUPADASWAMY: I think he has missed my point. The basic point is the Order passed yesterday comes under Proclamation issued already; the Proclamation has to be laid on the Table of the House, and the Order has got to be issued when Parliament is in session. That is my point.

SHRI N. K. P. SALVE (Maharashtra): I seek your indulgence, Madam. You have to decide. I have

only submissions to make to you. If I have understood it correctly, the point of order is that on a holiday a Proclamation has been made when Parliament has been in session. And now it is being laid on the Table of the House which according to him is violative of article 356. That is how I understand his point. But, Madam, bare reading of article 356(C) would establish beyond doubt that this proposition, I submit with respect, is wholly untenable. What does clause (c) of article 356 say? I quote with your permission:

"Every Proclamation under this article shall be laid before each House of Parliament and shall, except where it is a Proclamation revoking a previous Proclamation, cease to operate at the expiration of two months unless before the expiration of that period it has been approved by resolutions of both Houses of Parliament:

and there is the proviso. So, Madam, on a bare reading what it requires is that every proclamation under this article shall be laid before each House of the Parliament and that is what precisely he is doing. I am unable to understand wherefrom he is getting this impression that if on a holiday such a Proclamation is made, it cannot be laid on the second day, the first possible opportunity the Home Minister has seized to lay the Proclamation and that is required of the article itself.

SHRI M. S. GURUPADASWAMY: No,

no.

SHRI PARVATHANENI UPENDRA: You always do wrong pleading. SHRI BUTA SINGH; I am grateful to Shri Salve for having pointed out a constitutional provision but I am more thankful to my friend, Shri Gurupadaswamy, who while resuming his seat uttered a sentence in which he himself gave a reply to the point raised by him. He said that since it is under the old Proclamation which is still in vogue, there is no need of another Proclamation. (Interruptions).

I am meeting your other points. Madam, under article 356 while imposing President's rule, the President by Proclamation has assumed to himself all or any of the powers vested in or exercisable by the Governor. The Proclamation will be in force up to 11th May. Today is 7th

March. Still there is period for that Proclamation. It is still in force. It is not proposed to vary the Proclamation. By an order under article 174(2) (b) the Governor may, from time to time, dissolve the Legislative Assembly. So, the present order is not under article 356, it is under article 174(2) (b). Since the powers of the Governor have now been assumed by the President of India, the Punjab Legislative Assembly has been dissolved by an order of the President under article 174(2) (b). This is consistent with the practice followed hitherto. Similar orders have been passed in the past in the case of Legislative Assemblies of Mysore—luckily to which my hon. Member belongs—and also West Bengal. Therefore, there is no disparity or contravention of the Constitution by the Home Minister of India.

THE DEPUTY CHAIRMAN: The point of order is overruled.

SHRI ALADI ARUNA alias V. ARUNACHALAM (Tamil Nadu): Madam, the Governor has no right to take up the functions of the State legislature. (Interruptions). It is a vital question.

THE DEPUTY CHAIRMAN: No, no, there is no debate. After the statement of the Minister, you can raise your point. (Interruptions). Please listen to me. There cannot be any debate on a point of order.

SHRI M. S. GURUPADASWAMY: Madam, he is on an important constitutional matter. Allow him to speak.

SHRI ALADI ARUNA alias V. ARUNACHALAM: The point is very simple. Under article 356 Governor has no right to take over the functions of the Legislature. Under Art. 356, it has been clearly mentioned

[Shri Aladi Aruma *alias* V. Arunachalan]

that the President may by Proclamation assume to himself all or any of the functions of the Government of the State and all or any of the powers vested in or exercisable by the Governor or any body or authority in the State other than the Legislature of the State. So it is very specific and he has no right at all.

THE DEPUTY CHAIRMAN: That has already been replied to. There is no point of order. The Home Minister.

SHRI BUTA SINGH: Madam Deputy Chairman, as the House is aware, on the recommendation of the Governor of Punjab, President issued a Proclamation under Article 356 of the Constitution in relation to the State of Punjab on 11th May, 1987. The Legislative Assembly was kept under suspended animation. Though the Proclamation was extended for a further period of six<sup>x</sup> months by a Resolution of Parliament, the position of the Assembly remained the same.

The imposition of President's rule brought about a distinct improvement in the situation in Punjab. The fundamentalist campaign launched by the extremists in the grab of social reforms petered out. Secessionist threats of Ragis and Dhadis stopped. Migration of Hindus from Punjab was checked and, in fact, a large number of families which had migrated out of Punjab started returning to the State. There has, however, been considerable rise in the number of extremist incidents since the end of last year. The Government has studied the situation and discussed this with the State Government to evolve a proper strategy to tackle this rise in extremist violence.

The Governor of Punjab has reported 'bat one of the major hindrances in the effective and efficient working of the police and paramilitary forces is interference from members of the Legislative Assembly. The Governor has observed that there are numerous reports that many members of legis-

lature not only attempt to interfere, 'influence and prevent the police action but also threatening police officers of dire consequences in the future if they failed to obey their commands. In fact, the Governor has reported that such threats and interferences affect the tempo of police work and have adversely affected action against terrorists, smugglers and other criminals.

The incident in village Sabari in, District Hoshiarpur on the night of 3rd March shows the extent to which the terrorists are determined to go. About 8 to 10 terrorists came to this village around 11.30 p. m. on 3-3-1988 and began to fire indiscriminately on the big gathering at a religious place, killing 26 persons on the spot and injuring 52. Subsequently, 7 persons out of the injured also succumbed to their injuries taking the total death toll to 33. The terrorists attempted to separate the members of the Sikh community with a view to kill the other members of the congregation but people belonging to all three faiths—Hindu, Sikh and Muslim—stood together and made clear their intention to die together, if necessary. I am proud to say that the nobility of the human spirit and the brotherhood of man which found expression in village Sahari can never be vanquished. I am sure that this august House will pay its tribute to the brave, patriotic and secular people of Punjab and, in particular, village Sahasi. The incident is all the more reprehensible because it took place on the day the Government set in motion the process of finding a solution to the Punjab Problem by releasing the five High Priests and 40 undertrials from Jodhpur prison. It shows that the terrorists can go to any extent in their attempts to thwart Government's initiative to find a solution to the Punjab problem.

I am sure that this House will join me in condemning the dastardly acts of violence which create disaffection and misunderstanding among different sections of society and in conveying our deep sympathies to the bereaved families. This

Government is determined to stamp out terrorism. At the same time, I would appeal to all communities and all sections of public opinion to work together to foil the evil designs of the terrorist and anti-national forces.

In these circumstances it is of utmost importance that terrorist actions are combated effectively and Police is allowed to function with full effectiveness. It has been assessed by the Governor of Punjab that there is no likelihood of the emergence of any effective, stable or responsible Government committed to the cause of removing terrorism out of the present Legislative Assembly. The Governor has concluded that the Assembly's further continuance would be both purposeless and futile. He has, therefore, recommended dissolution of the Punjab State Legislative Assembly with immediate effect. The President has accordingly issued Order under Article 174(2) b) dissolving the Punjab State Legislative Assembly with immediate effect.

Government also propose to introduce a Constitution Amendment Bill in the current session of Parliament to facilitate extension of President's rule in Punjab as and when necessary. Government have undertaken an examination of Article 352 and related provisions of the Constitution in its application to Punjab. Government also propose to amend the Constitution suitably in respect of emergency provisions in their application to Punjab. Government, however, wish to make it clear that the amendments relating to emergency provisions will apply only to Punjab and the existing provisions of the Constitution (Article 352 and related articles) will continue to apply in the rest of the country.

SARDAR JAGJIT SINGH AURORA (Punjab): Madam Deputy Chairman, going through this statement that has been put up, it appears to me that deliberately the initiative taken by the Government with regard to achieving an understanding with the newly released high priests has been left out. I feel that one has to take the two together even though the statement does not mention it.

Now, firstly to deal with this state-

ment, I feel that the reasons given for the dissolution of the Legislature are purely trumped up. To my mind, the Government is not being honest about the reasons for which they have now decided to dissolve the Legislature. Before talking about this I would like on my own behalf and on behalf of my party, the Akali Dal, to condemn unequivocally the destardly acts of violence that took place three days ago in Hoshiarpur. While doing so, I would like to mention that the dissolution of this Legislature is going to weaken, the moderate elements which have been, up to now, acting not only by themselves but even among the public, by creating a moderate opinion. That moderate opinion was further strengthened by the efforts made by Sardar Parkash Singh Badal when he was able, at several places—I won't say at all places—to organize in the various districts certain *dhamas* in which the public took part, admittedly against the Government, but purely in a non-violent manner.

There is no doubt that the Government of India today—because the President's rule in Punjab is really the Government of India's rule—has lost all credibility, and it is because of the highhandedness of the police forces that violence has been on the increase and not because the Legislature had been interfering with, the Government. I can say that it is wholly a wrong reason given for the dissolution of the Legislature. If the Legislature could be kept in suspended animation for all these months, the reason why it is now being dissolved is because elections to the Rajya Sabha are round the corner and it is feared by the Government that at least, two out of the three seats are likely to go to the Akali Dal and another reason why the Government is worried is that, for unknown reasons, one out of the two could be won by Simranjit Singh Mann. I feel that Mr. Simranjit Singh Mann is totally misunderstood, deliberately again, by the Government and whose case is as strong as it is for the 365 detenus in Jodhpur for immediate release. Therefore, this excuse that it has become necessary for the Government to dissolve the Assembly at this stage, to my mind, is

[Sardar Jagjit Singh Aurora] wholly trumped up. It is unconvincing.

I feel that when the future discussions take place, as it has come out in the past with the Head Jathedar of Akali Dal, Mr. Jasbir Singh and others, it is going to weaken the cause of the moderate forces considerably. That is an aspect, I feel, which is going to create more problems than it would solve in the State of Punjab.

While talking about this political initiative taken by the Government, which has come out in the papers, to resolve this problem, I must admit that I have been questioning for it and calling for it mere facts that they have taken that initiative. I cannot but welcome it. But the mode and the method of the initiative, however, makes me apprehensive on several counts. The first thing is whether the Government is really sincere, and I have a very big question-mark against it. The second thing is whether the Government will be determined to reach a solution in spite of many hurdles and roadblocks that it may have to face and would do what it did last time with the Rajiv-Longowal Accord.

The second thing is, why the Government is releasing the Jodhpur detenus in groups and using them as bargaining chips. It is a human rights problem. Using it as a bargaining commodity further lowers the Government's credibility which is low enough as it is today, especially in Punjab.

What about punishing the guilty of the November, 84 carnage? It is also a human rights problem. But no announcement has been made about this.

I have already talked about dissolution of the Assembly. The next thing is how the Government considers the impact of this measure on the moderate parties and other groups in Punjab. Is it the intention to destroy the Akali Dal which has very deep roots in the Sikh community and this measure on the moderate and other groups in Punjab. Is it the intention to destroy the Akali Dal which has always been for the integrity of the country and amicable relations with other communities?

What about the authority of the SGPC which is a legally constituted institution? It does need certain changes but it should not be destroyed at this juncture.

Whatever the real reason, the time at which the decision to take the political initiative has been unfolded, gives one the impression that President's rule has failed and that the Government finally saw the writing on the wall. It certainly does no credit to the Government to have waited for so long. The mode of announcement by getting the Punjab Congress Party Members in the Legislature and Parliament to recommend this action after everything had been worked out and tied up, fools only the crowd but certainly not the audience. I doubt if it will enhance the credibility of the Congress party in Punjab in any manner. 3.00 P. M.

SHRUTI BUTA SINGH: That is why it was noticed only by the Akali Dal.

SARDAR JAGJIT SINGH AURORA: Lastly, it is unfortunate that the Government of India enjoys little or no credibility among the people of Punjab. They are looking for what is behind the news. I would like to emphasise this point. I have been to Punjab in the last three days. The Government's honesty is suspected. Many people feel that having broken up the Akali Dal, this is a move to break up the extremist organisations and make them fight among themselves. It is being talked about that a particular family is being favoured to upset other militant groups. This can only lead to further internecine violence instead of peace coming to Punjab.

It appears to me that this initiative is a gimmick to convince the people of India that the Government is willing but the Sikhs are unreasonable. You may succeed in this move, but you will fail to solve the Punjab problem, which will become more intractable.

Finally, I would like to request that having decided on a political initiative, please work sincerely towards a long-range aim of getting the country more united and not for earning temporary advantage of winning the next elections at the expense of the well-being of a small, but vital State, and at the expense of a small but vital and vibrant minority.

THE DEPUTY CHAIRMAN: Mr. Darbara Singh.

SHRI PARVATHANENI UPENDRA: His name is not there in the list.

SHRI DARBARA SINGH (Punjab): I (hinc we are much more concerned! about Punjab than you.

THE DEPUTY CHAIRMAN: Let him speak. Then I will call you.

SHRI PARVATHANENI UPENDRA: I have seen the list. I can read out the names in order. if you are including him, I have no objection.

SHRI VISHVJIT PRITHVIJIT SINGH: T was not objecting, but all the time you are objecting on everything. You laugh over it. You don't take this House seriously at all. Take it seriously.

SHRI DARBARA SINGH: Madam Deputy Chairman, I congratulate the Prime Minister on taking a decision on which the statement has been made by the Home Minister. I have heard with rapt attention the speech made just now by our General. I think he must know that the Prime Minister himself made a statement earlier that his doors are open for negotiations. Anybody who likes to talk to him, can come to him. This is the statement made by the Prime Minister. And now he has unilaterally taken a decision that there should be normalcy in Punjab. For that purpose some releases have been made. I think he has done the right thing because it is not always proper to keep things hanging on. Now, what I say is— and it is known to everybody—that a Government was there and that Government was Akali Government run by Mr. Barnala. It could not do anything to check the terrorist activities. It was on the other hand a parallel Government created by himself and the terrorists. This shows that that party, whether of Barnala or Badal, could not do anything on this.

श्री जगदम्बी प्रसाद यादव (बिहार) :  
आज क्या हाल है ?

श्री दम्बारा सिंह : मझे बोलने दो ।  
आप को भी मौका मिलेगा । आपने जो

वहाँ पर किया मुझे पता है । पार्टी में  
आप जैसे लोगों ने ही अकालियों की मदद  
की थी और सही फैसला करने के लिए  
आपने कोई सुझाव नहीं दिया था । छोड़िए  
इस बात को ।

श्री जगदम्बी प्रसाद यादव : आप मुख्य  
मंत्री रहे हैं, इसलिए आपसे पूछ रहा हूँ ।

SHRI DARBARA SINGH: I pity General Aurora because he has joined this arena very late. He does not know what has happened previously. The Government in Punjab which was said to be a popular Government had 73 Members of the Akali Party. We did not ask them to split. But they divided among themselves into this faction or that faction. One faction was there who got the popular support and formed the Ministry but the Ministry could not do anything for the welfare of the people. Therefore, that Ministry was removed and President's rule was imposed. So everybody from the Opposition side was interfering with the administration during President's rule. So it was neither possible for the Governor to run the administration nor check the terrorists' activities. All those persons who were supporting the terrorists either asked for transfers or something else. The Governor was in a dilemma. He could not devote his full attention to check the terrorists' activities. The State Assembly was kept in suspended animation. No party was commanding a majority to form a popular Government. There are three or four factions in the party. So the Assembly cannot be kept under suspended animation for an all time to come. Therefore, the Governor has taken this step and recommended dissolution of the Assembly. This is the task he has done and we should appreciate it. If the people misbehave the Government is there to take action. It is not that the Government has been relieved of other things and it can do whatever it likes. It is not so. The unilateral decision must be appreciated by all of us because it is a step in the right direction. I appeal to all parties and other people who are said to be very normal and not with the extremists to join us in our efforts to stop these activities. We went to the people whereas this has not been done by the Opposition part"

(Shri Darbara Singh) ies. They only wanted to create a sense of insecurity in the minds of the Punjab people. Therefore, the Governor has taken this step. I think we should all appreciate the action taken by the Governor. I do not want to say anything as to why it was not done today. It was done yesterday and yesterday was a holiday. That shows the Government works on Sunday also. They are doing much more than what we expected of them. They are working round the clock. Let us, therefore, accept the action taken by the Governor. That is, all.

SHRI V. GOPALSAMY (Tamil Nadu): Madam Deputy Chairman, the continuing turmoil in Punjab is a clear testimony of the miserable failure of the policy of the Government of India on Punjab.

The reference in the statement of the hon. Home Minister "the imposition of the President's rule brought about a distinct improvement in the situation in Punjab" is the crudest joke. What does the Government mean by "a distinct improvement" in the situation in Punjab? Improvement in the number of killings? Improvement in the number of deaths due to violence? Madam, I strongly condemn, in unequivocal terms, the dastardly attack of the terrorists. On 3rd March the country witnessed another ghastly, savage, barbarous assault on innocent populace. Even the kith and kin of our hon. Home Minister had to fall prey to the attack of the terrorists. But, Madam, for what reasons was the Government of Barnala toppled? I remember, at that time, the Government tried to justify by saying that Barnala Government failed to contain violence, Barnala Government failed to control terrorism. But, Madam, after the dismissal of the ministry of Mr. Barnala, almost two thousand killings have taken place. Is this the improvement that this Government wanted? Madam, in 1987, when it started with the President's Address, at the Central Hall, where the Joint Session took place, the Government paid glowing tributes to Barnala's Ministry. Then, within a short time, this Government created a quagmire in which it is totally caught today. Madam, for what reasons did the impended animation continue till

this time? Is it not a fact that it was because of this Government or the Government run by the Congress party is afraid of facing the biennial elections to Rajya Sabha? That is the reason why now you have dismissed the Assembly. Madam, Mr. Ribeiro has admitted his failure. He has thrown up his hands in despair that guns alone cannot solve the Punjab problem—bullet for bullet. This trigger-happy administration cannot solve the problem in Punjab. You have to win over the hearts and minds of the youth of the land of Punjab. The saffron-turbaned youth in the countryside is very alarming and we get reports that they are getting more and more angry against the Government. Unless there is a healing touch from this Government towards the Sikh community, you cannot win over the hearts and minds of the Sikhs. Where is the healing touch? What happened to the Ranganatha Mishra Commission report? We are not prepared! to discuss the report at all? There is no follow-up action.

THE DEPUTY CHAIRMAN: Please, seek your clarification.

SHRI V. GOPALSAMY: Madam, this is all very much relevant. One gentleman, some Sushil Muni, is speaking about a package deal. What is the package deal?

THE DEPUTY CHAIRMAN: You have to speak on the statement and seek clarifications.

SHRI V. GOPALSAMY: We have been demanding that the Jodhpur detenus should be released. *(Interruptions)*

THE DEPUTY CHAIRMAN: I am trying to tell you that you are seeking clarifications on the statement. You are bringing in new issues.

SHRI V. GOPALSAMY: I am seeking clarifications. We have been demanding that the Jodhpur detenus should be released in toto. And you have released... *(Interruptions)* Yes. I welcome, at least you have released... *(Interruptions)* I do not hear you.

SHRI VISHVJIT PRITHVITJIT SINGH: You are a Tamilian extremist.



SHRI V. GOPALSAMY; Then everybody will become an extremist before the eyes of Congress-I. Yes, of course, day by day, the number of extremists is increasing in Punjab. You may shut your eyes to see the reality, what is happening there. You are encouraging them because you have not strengthened the hearts of the leaders. On the other hand, you are strengthening the hands of the extremists because there is no healing touch towards the problem. What happened to the victims of the riots of 1984? There is no follow-up action. Madam, I would like to know from the hon. Home Minister whether this Government has taken a decision not to conduct elections at all in Punjab because the statement goes to say that the Members of the Legislature posed a threat to normalcy and peace. This is the statement of the Home Minister and it also indicates that they are going for a Constitutional amendment. That means you are not going to conduct elections in Punjab. Will you conduct elections in Punjab, or not? How long are you going to rule through the Governor? And this Governor has no advisor at all. Mr. S. S. Ray and Mr. Ribeiro have admitted their failure to contain terrorism and violence there. Therefore, Madam, unless you conduct elections earlier in Punjab, you cannot solve the problem. You should face the public. Therefore, Madam, for what reasons...

THE DEPUTY CHAIRMAN; Please, conclude now.

SHRI V. GOPALSAMY; For what reasons did you topple the Barnala Ministry? For what reasons did you continue the suspended animation all along? Is it not a fact that you are afraid of facing the biennial elections and therefore, you have dismissed the Assembly? Therefore, Madam, I would like to know from the Government when the elections will be held for Punjab.

SHRI PARVATHANENI UPENDRA; Madam Deputy Chairman, I join the Home Minister in condemning the senseless killings of innocent people at Sahari and in expressing our heart-felt condolences

to the bereaved families. But, Madam, I am constrained to remark that inscrutable are the ways of this Government that they have become adept in doing the right things at the wrong time and the wrong things at the right time. Also, the peak of their efficiency is displayed at midnight and on holidays. I do not know what heavens would have fallen if the Government had waited for a day, discussed the problem in Parliament and announced the decision here. That itself shows the contempt with which they treat the Parliament. I am constrained to make this remark before I speak about the Statement

Madam, all along we have been pressing the Government for a political solution. Several times we ourselves raised the question, that a dialogue should be started, if not directly, by the Government, through, some intermediaries and talks should continue. But the Government always feated it as a law and order problem and they said so. Even when the Jodhpur detenus' question was raised, the Home Minister refused outright. Last year, when the Prime Minister called a meeting of the Opposition leaders, we suggested that talks should be started for a political settlement and the Prime Minister said that unless the last terrorist was finished, they would not start any negotiations. At that time itself we said that it was impossible and that the Prime Minister should not take such a stand. But, now, we do not know what prompted the Government suddenly to change the stand. I am not against the release either of the high priests or of the detenus. We welcome that. But the Government which has arrested these priests—three of them welcomed the killing of Sant Longowal and preached Khalistan and passed a resolution—has suddenly released them without even an explanation as to what exactly their stand is or whether they have changed their stand or not. And what is this pick and choose business in the case of detenus also? Why only forty of them have been picked up for release? That has not been explained properly. As far as law and order is concerned, the Home Minister says in one sentence, "There has been a distinct improvement it

[Shri Parvathaneni Upendra]

the situation in Punjab after the imposition of President's rule", and in the same paragraph he says, "There has, however, been considerable rise in the number of extremist incidents since the end of last year. " What does it mean? "There is a distinct improvement". In killings? That means there is an improvement in killings. At the time of dismissal of Barnala Government when the Muktsar incident took place, 79 were killed in April 1987. That was the cause given for imposition of President's rule; in the Governor's report also it was mentioned. In January the total killings were 207. In February the number was more than 200. Then, how can the Home Minister say in his statement, 'There has been a distinct improvement in the law and order situation? How long will he continue this President's rule? That is one ion which he has to answer.

Secondly, he says there has been interference with the law and order machinery by the elected representatives. Now by dissolving the Assembly can he solve that problem? How long will he continue the President's rule? Do you mean to say that unless you are satisfied that the elected representatives will not interfere in the administration in future you will not hold elections? Is there any guarantee that elected representatives in future will not interfere? Can that be a cause for imposition of President's rule or dissolution of the Assembly? Is that how you tackle such a problem? It is a continuing problem in all States or in many States. That cannot be a reason for dissolving the Assembly and there is no indication as to when the election is going to be held. The Home Minister says he is going to bring forward a Constitutional Amendment for extending the President's rule. For how long? Can this question of interference by elected representatives be solved in six months or one year or two years? What is your estimate? When do you propose to hold the election? Can you give any indication? You cannot do away with a popular Government for a long time. And what is that improvement you are claiming now for by denying a popular Government? You say there is an improvement. You have to

satisfy this House, whatever improvement there is.

Another point which has to be mentioned is if you wanted to take an action, even if it is a good action, you should have involved all those parties there, whether it is Barnala or whoever it is. Now, we do not know what understanding you have reached with the priests or with anybody else or the underground extremists which prompted you to take this action? A Government which has all along said that it is not prepared to negotiate with any people, now what has happened to it suddenly? You yourselves said "we will not allow religion to interfere in politics." Again you are now trying to negotiate with the same high priests. Is it not a contradiction of your own stand? Have you reached some understanding with them which will lead to a political settlement? Why did you not involve either the Akali Dal (L) or Akali Dal (B) or other sections of the political parties there in arriving at this decision? You could have organised a round-table conference. Why did not the Government think it necessary to involve the moderates also who all along have been fighting the extremists? By your action you have considerably weakened the moderates' strength and it will not be good for Punjab. Even if you hold elections there do you expect the extremists to come to power with your support so that after elections you will run the Government by passing the moderates? Therefore, I would like to know categorically from the Home Minister: What are your future plans? What is the understanding you have reached with the priests on their behalf and what steps are you taking to further improve the law and order situation, pending restoration of popular rule?

SHRI VISHWA BANDHU  
GUPTA (Delhi): Madam Deputy Chairman,  
at the

outset I would like to condemn the senseless killings in Punjab and I would also like to congratulate the citizens of Village Sahari for standing up together against the terrorists. I would like to join the sentiments of the Home Minister in this

regard. My honourable friend Shri Gopalsamy<sup>^</sup> spoke at length about the performance of the Barnala Ministry and the Akalis in general. I would like to say that in spite of the great support, full support, from all sections, particularly from the ^Central Government and the Home Ministry the Barnala Government failed to stop the killings in Punjab. This was the same thing that happened to the other people who were running the Government earlier. As far as the Central Government is concerned, Madam, many steps were taken. Even Mr. Barnala was released from the jail and he was given a chance to find a solution. Many people led delegations to talk to them. The Central Government kept the door open. The Prime Minister made several efforts and made several responses to any move for finding a suitable solution. But the Akalis totally

"failed to find a solution to the problem in Punjab. One of the problems that is apparent is that the people do not disclose the location of the hide-outs of the terrorists for fear of reprisals by them. I would like to know from the honourable Minister whether any special plan has been thought of by him or by the Punjab Government to make it possible for the people to disclose the information that they may have. If they have any information and we come to know of it in advance, then action can be taken.

The second thing that I would like to ask the Home Minister is whether he

^would like to give the figures of the number of families which migrated from Punjab to Delhi and other places and the number of those families which have gone back. Even with regard to those families which have not gone back, I would like to know what the chances are of their going back or whether any timeframe can be set for their going back. Madam, in Tripura, the Home Minister was able to take strong action with regard to having the military there for conducting the elections in a peaceful manner. When the situation in Punjab is much worse, I would like to know whether the instructions are clear to the BSF, the paramilitary forces and the police there to take the strongest possible action, without fear or favour, with regard to the terrorists and whether any

special effort is being made in this direction. Thank you, Madam,

THE DEPUTY CHAIRMAN: Now, Mr. Jaswant Singh.

SHRI JASWANT SINGH (Rajasthan): Madam Deputy Chairman, I have five broad clarifications to seek. I do admit that these clarifications arise from the statement of the honourable Home Minister, but they are not confined to the statement as the issue is much larger than the statement itself.

Madam, I feel deeply for Punjab I feel deeply with [he people of Punjab, I had hoped that at least on this occasion, when demonstrably we have reached a *cu\de-sac*, the Government's statement on Punjab would be a document of inspiring compassion, a document of deep understanding and clarity of thought, along with a clear chartering of the steps to be taken. It does not delight me when I have to comment that in this document I find a tone of spuriousness, a flippant irrelevancy and a preoccupation with trivial point-making, when the tragedy that confronts the nation is as profound as that of Punjab.

The first clarification, Madam, is about the Hoshiarpur carnage. Here again it is an index of the tragedy of Punjab that we are now relatively inured to human death. The Government's reaction has become a cliché reaction. I could find a number of similar statements which the Government has made on earlier occasions on similar deaths. There is a certain de-sensitisation to killings, and that deeply disturbs me. In the context of the Hoshiarpur carnage, because of a Member from the Punjab, whom I hold in high esteem, whose feelings for the Punjab I empathize with, it is necessary for me to say that statements by anybody which talk of boycott of Sikh trade, anywhere in the country, are condemnable in the extreme. And if we do not take note of that, we would be failing in our conscience towards the Punjab. They are rabid and totally unacceptable to me. I do not deny. Madam, that in this grisly macabre business of head counts of killing? there is a certain kind of discrepancy in what the hon. Home Minister has said as the total number of deaths and what certain newspapers are reporting. I won't be happier

[Shri Vishwa Bandhu Gupta]

if the hon. Minister corroborated the newspaper reports and said that deaths, instead of 33, are actually 45. Some of the newspapers are talking about it. And there is no better occasion than now and no better place than the Parliament for the Home Minister to clarify that aspect.

Secondly, Madam, there is this aspect of Jodhpur detenus. We have all along—I personally and my party have all along—held the view that the moral strength of this light against violence in Punjab is weakened by two continuing immoralities. One of them is Jodhpur detenus and the other the 1984 riots. Admittedly, by the Government's own document, 2733 people were killed in 1984 during the riots. Not a single person has yet been brought to trial, leave alone punished. That weakens the moral fight of this Government against violence in the Punjab. And just as that weakens the moral fight against terrorism in Punjab, the continuing incarceration in Jodhpur, about which I have parochially submitted as well, would also weaken you. I would like the hon. Minister to clarify why you have released only 40—why not 30 or 35 or 55. How

have you arrived at the figure of 40? And if you now released 40 after four years' imprisonment, why did you keep them in prison for four years without trial? Kindly explain this rationale, because this is vital.

Also, here in this context it would be necessary for the hon. Home Minister to come forward with a statement on the 1984 incidents and on the Ranganathan Mishra Commission Report which the Parliament has yet to discuss.

Thirdly, Madam, certain Sikh 'Granthis' or 'Ragis' or religious leaders or whatever, have been released. It is my understanding that they are self-styled religious leaders, that their installation in Harmin-dar Sahib was the result of the initiative of the terrorists. Therefore, this really becomes most inexplicable, because no one actually asked for the release of these five. Thereby by releasing them, you are in fact confirming the demise of the SGPC. Therefore, kindly explain what is at the

back of the Government's thinking so far as the release of these five is concerned.

Fourthly, Madam, there are statement\* issued by some gentlemen, these self-styled emissaries of the Government who say that the Prime Minister has a package programme, has a package deal in mind and that this is the first instalment of that package. Either those that make such statements are making them without authorisation or they are making them because they are so authorised by you. Therefore, please clarify. What is the status of these emissaries? What is their brief? And what is their authority?

Finally, Madam, in the statement itself there is a reference made to the contemplated Constitutional amendments which the Government intends to bring forwards in which a statement is made about the possibility of amending Article 352 and connected Articles with a view to declaring emergency in Punjab should the situation so demand. (*Time bell rings*) Please, Madam, bear with me for just half a minute. And look at the progressive descent of this Government's Punjab policy. When the earliest of legislations relating to Punjab was brought forward here, specifically the security belt, I had then had the occasion to participate in the discussion. I then mentioned, "after this, please do not seek any more alibis" because the Government came forward and said, "we do not have sufficient power: we need more laws." Thereafter the hon. Minister of State for Home moving amendments to TADA said that "the criminal legal system in Punjab has got paralysed and therefore, we need yet more powers." And now today the hon. Home Minister comes forward and says that what is standing in the way of normalcy in Punjab are the Legislators of Punjab. And finally he informs us that when that does not suffice, he will, the Government will introduce emergency. Please clarify this intent that you have here.

I will conclude. Madam with \$ caution. And that caution is that you have destroyed all the legit? mate political authority within Punjab. You are attempting to now create alternative political figure in Punjab. There is

one very great danger. You did it earlier -and, you created a frankenstein by creating alternative political authorities in Punjab. Through the working of North Block, you might create another frankenstein. Be warned.

SHRJ SUKOMAL SEN (West Bengal): Madam Deputy Chairman, this statement issued by the hon. Home Minister is itself a damning commentary on the performance of the Central Government in regard to Punjab.

Madam, yesterday the Punjab Assembly was dismissed. Many of our hon. Members have raised the question as to why it was dismissed on a holiday and why it was not just placed in the House. All these things have been raised and I am not going into that. Madam, the problem is how the Government is going to tackle the Punjab situation. That is the main problem. From Jodhpur 40 detenus have been released and immediately after the release, a grisly massacre took place in Hoshiarpur and then the Assembly was dismissed. And then the Government is depending upon one emissary after another "to talk to certain persons. This is what is happening in regard to Punjab. But what is the policy of the Government and how they are going to tackle the situation is not at all clear. On the contrary, from the statement, confusion has been further confounded. Madam, after the release of 40 detenus what we have seen is that the Sikh priests have indulged in verbal violence. What have they said? They have said that they want full independence. Then there is the All-India Sikh Students Federation. They have said, nothing less than Kalistan. And, on the other side, at Hoshiarpur, there is practical violence. Terrorists killed a number of persons. Whether they are 34 or 35, I am not going into the head count. If it is 34, as stated by the Home Minister, I am not going to contend. If it is not 45, I will be happier. That is not the point. But this massacre is taking place every day. And this statement itself says that during the last part of the previous year, there has been a spurt in killings, the killings have been increasing. Now, during the President's rule, we have seen not only in the

last part of the year, but right from the inception of the President's rule, that the killings by the extremists are on the increase. Now, Madam, it is high time to ask the Government and they have yet to clarify and they have to explain what was the offence of the Barnala Government? Why was that Government dismissed? What was their offence? What was their charge? It was said that that Government was incompetent, inefficient, and then instead of lending support to the Barnala Government, which Government was fighting honestly and sincerely terrorism, the Government which was elected by the people, that Government is dismissed, and in one year of President's rule the Government itself says that a number of killings have taken place and their number is increasing. What is the justification for the President's rule then? Now who will dismiss the Central Government? The Central Government should stand dismissed because of their own performance in Punjab.

Now, Madam, Mr. Buta Singh is trying to put up a very brave face. But behind the brave face and brave words I am afraid there are strong indications that the Government is trying for some settlement, what is worse a compromise with the extremists. It is very clear. And alert observer of Punjab situation will come to the conclusion that the Government is bent upon some sort of a compromise with the terrorists. And now, Madam, it is really repulsive and shameful to hear the Prime Minister praising a Jain-Muni for his so called mediatory role in Punjab. This Government claims to be a modern Government. This Government claims to believe in high technology and science, secularism and democracy, and this Government has faith not in a political personality, not on a political party, not on a political initiative, but they totally bank upon a muni, a rishi, sanyasi, juggler, soothsayer, fortune teller, astrologer, and all these people are brought in to talk to the terrorists for negotiating a settlement. What is this? Is it a Government? Is it a political initiative? Now this Government is taking resort to all sorts of shameful resources.

[Shri Sukomal Sen] You see, Madam, this is creating a situation, a terrible mess.

Now, Madam, I would like to ask Mr. Buta Singh, why 40 detainees have been released? We very well know that some of them have direct link with terrorists? Why not Shri Tohra? He is the President of SGPC. Why has he been kept in detention? Why he has not been released? Can the Government explain? The Government cannot explain. What was the reason for this pick and choose? That has to be explained by the Government.

Now, Madam, the most moot point is that through these activities they are trying to eliminate all moderate Akali politics from the soil of Punjab so that terrorism can survive. If you eliminate moderate Akali parties in Punjab, just as you have dismissed the Barnala Government, which Government was trying to tackle terrorists and control them, but your Government is trying to talk to terrorists through other means, through munis and rishis, it means you want to eliminate all moderate politics from Punjab, thereby clearing the soil for thriving of terrorism. That is what it will lead to. This Government's policy will lead to the thriving of and flourishing of terrorism. That is what is happening in Punjab. I would like to know, Madam, in Tripura on the eve of elections...

THE DEPUTY CHAIRMAN: You seek clarifications about Punjab and not Tripura.

SHRI SUKOMAL SEN:... they brought in the Army. But the Punjab situation is worse. It is getting worse than the Tripura situation even. Now what will the Government do? I would like to ask Mr. Buta Singh, you have done something in Tripura. What are you going to do in Punjab. (*Interruptions*). The indications are that they are going to amend article 352. They are going to introduce a Constitution Amendment Bill, to amend article 352. It is an emergency proclamation. Again you are going to impose emergency in the country. Today it is limited to Punjab; tomorrow it will be limited to Tripura; next day it will be

limited to Bengal; then to Assam, and this way you are going to limit emergency rule to every State. Can we support it? Do you expect support from this Parliament? I know your ruling party members will raise hands and support whatever mischief you commit. But we cannot support you. We have to oppose these things. Because of your own misdeeds, situation in Punjab has landed into a crisis. These killings are shocking. It is one tragedy after another which is taking place in Punjab. Human life is being lost in Punjab because of your own misdeeds. So, this Government owes an explanation to the country as to what you are going to do to take real political initiatives, initiatives not by the Munis or the Rishis or the Iain Munis. I am asking whether you are inclined to take the political parties into confidence, take this Parliament into confidence? Are you going to have a political dialogue? Are you going to implement Rajiv-Longowal accord? Are you going to punish the culprits of the 1984 riots? How are you going to assuage the hurt feelings of the Sikhs? You have to do something. But you are not doing anything you are talking to Munis. I would like to get an explanation from the Government whether they are inclined to take political parties into confidence. What are the credentials of Iain Muni? I have the Government allowed him to discuss and negotiate? Who is he? Mr. Rajiv Gandhi is praising him for his mediatory role. Who is that man? Parliament does not know him; we do not know his credentials. And you suddenly start praising Munis. You say he is negotiating. Who has allowed him to negotiate? All these points have got to be clarified. I know that side will support whatever be the misdeeds but we must be satisfied, because we also belong to this country: we also represent the country, and so the country wants to know as to what is going on in Punjab. You have allowed the Punjab situation to come to this severe crisis, and we want your explanation as to what actually you are going to do about it.

THE DEPUTY CHAIRMAN: Mr. Gurupadaswamy.

SHRI BUTA SINGH: I thought he had spoken.

SHRI M. S. GURUPADASWAMY: That was my point of order. Perhaps

listened to me earlier on the point of order.

Madam Deputy Chairman, Government in my view, is resorting to alibi after alibi to cover up its wrongs, its failures and its omissions and commissions. It is resorting to alibis also to cover up the weaknesses in their own administration, besides promoting their own partisan ends.

Madam, I went though the statement of my friend, the Home Minister. It looked to me as full of gross irrelevance and incoherence and full of contradictions, I of alibis resorted to by this Government from time to time. At one point of time, Barnala was a great leader in the eyes of the Government of India. There was praise for him. Even Rashtrapati], in his Address last year, paid glowing tribute to Barnala and his Government. But soon after he became a liability, his administration became a liability, and his Government was later removed. The alibi was, Barnala's Government became ineffective to meet terrorism in Punjab, it is too weak its Ministers are divided and some of them are colluding with the terrorists secretly. At that time, when his Government was removed, Assembly was kept it suspended animation. According to their assessment, the Assembly was necessary to keep it as a political buffer to meet the situation. And the Assembly was continued till now. Yesterday, the Government, all of a sudden, found that this Assembly was futile purposeless, meaningless and the members of the Assembly were grossly interfering in the day-to-day administration, preventing the law and order machinery from discharging its legitimate duties, preventing the machinery to meet the threat posed by the terrorists. So, in fact the President's rule failed and had to be covered up, and so another alibi was invented i. e. the President rule became difficult to pursue because of the MLAs, legislators there. If the MLAs had been a hindrance, an obstacle, why did they not dissolve the Assembly earlier?

Then the President's rule would have been complete and uninhabited by any forces. But tomorrow, Madam, what is the ta\*ee-, what is the assurance that the Home Minister. Will not come again before the House saying that there is another hindrance, emanating from the political parties? So, from Barnala to the legislature, from legislature to the legislators and from legislators to the political parties the alibis can be shifted. This kind of resort to alibis to cover up its own weaknesses is not desirable at all. On the contrary, it will have far-reaching consequences. None in this House is a supporter of terrorism and violence in Punjab. The whole House is profoundly shocked by killings there. Our sympathies are with the victims. It should stop. Wishing away of terrorism will not solve the problem. There has got to be something more than this to meet terrorism. But why did the Government choose this timing for dissolution of the House? This point was raised by other colleagues also. Why this moment was chosen for the dissolution of the House? It could have been dissolved earlier, last year itself, or it could have been dissolved after 28th March after the election to Rajya Sabha. You have waited for long. You have tolerated the legislature for so many days, so many weeks, so many months. Why did you not wait till the end of this month? Why? There is, therefore, a legitimate doubt in the mind of all of us that this time has been chosen because you wanted to stall election of certain people from Punjab to Rajya Sabha. I am not a friend of anybody; I hold no brief for anybody. But the timing that you have chosen for dissolution of the Assembly deepens the suspicion in the mind of many many people, not only here, but outside, that you wanted to prevent Shri S. S. Mann from coming to Rajya Sabha. Is it in your interest to encourage these misgivings, these suspicions in the minds of people?

Secondly, you have released 40 detenues from lodhpur. Is it a nal list? I want to know this from the Minister. Are there not many other who are innocent rotting in lodhpur Jail? Why have you not released all of them together? What prerogative?

[Shri M. S. Gurupadaswamy]

ted you? Four years have been there to review their cases. You know their cases, their background. If they are innocent, they are innocent. May I ask, Madam, why have they not released all these detenus together? Why keep some people in jail release some other now? Why this kind of thing?

Lastly, Madam, may I ask him whether he is going to hold elections in Punjab in the immediate future? He has talked of political process in the statement. But disturbingly enough, he has talked of amending the Constitution, amending the emergency powers in the Constitution as if the Government does not have enough powers already with them. You have failed to use these powers already with you to contain violence and terrorism in Punjab. Why do you want more powers? What is the political package that you have been having in view? You want to postpone the elections for a long long time to come and talk of a political package without an election for long? I think, Madam, the Home has to be assured by the Home Minister that there should be a political solution immediately and what type of political solution is being envisaged. As a part of this, I want him to announce in the House whether he is thinking of holding the election very soon in the near future.

4. 00 P. M.

SHRIMATI AMARJIT KAUR (Punjab): Madam Chairperson, the Punjab Assembly has been dissolved in the interest of preserving democratic values which have been flouted and destroyed by the inhuman activities of terrorism in the State.

The situation in Punjab has reached such a pitch that innocent people are no more safe to carry on their daily routine, and the law and order and the peace in the State is being threatened daily. The sitting Akali Dal Members of the Punjab Assembly were constantly aggravating the situation in the State by threatening and pulling up the police and other Government officials and harbouring anti-social

and anti-national elements within Punjab. Therefore, Madam, I appreciate the recommendations of the Governor of Punjab to the Centre for the dissolution of the Punjab Assembly.

The reasons he has given are genuine facts. Madam, the Governor has tried his best to bring the divided Akali Dal factions together to form a popular government. But the inherent contradictions and infightings within that Party have caused his efforts to fail, with the result that the confidence in the present Legislative Assembly of ever forming a popular Government was completely lost.

[The Vice-Chairman, (Dr. Bapu Kaldate) in the Chair]

Thus, new avenues had to be explored to bring about normalcy within the troubled State of Punjab. The release of the Jodhpur detenus and the Head Priest by the Central Government is a bold gesture which will create the required atmosphere for bringing back the militant youth of Punjab to the mainstream of the national life.

The Governor's rule, holding the Assembly in suspended animation cannot be allowed to continue indefinitely. Therefore, the Central Government was left with no alternative but to dissolve the Punjab Assembly for the purpose of restructuring the political environment to create conditions that could at the earliest evolve an atmosphere for holding elections to the State Assembly and eventually a democratic, popular government in the State. Sir, this is the desired result of the present situation.

But, if the Central Government finds in the future a lack of co-operation and continued attempt at disrupting the law and order and the creation of communal discord within the State, the Central Government may be forced to amend the Constitution for extending the Central rule in the State beyond one year and, if necessary, to declare an emergency in the State of Punjab.

Therefore, I appeal to all sections of people in Punjab and to the hon. Member\*



of the Opposition in this House to come together, keeping the national interest in view, and co-operate with the Government in finding a practical, just and equitable solution to the Punjab problem. I

I fully support the action taken by the Government.

Thank you.

**श्री वीरेन्द्र वर्मा (उत्तर प्रदेश) :** उपाध्यक्ष महोदय, भारत सरकार के मशविरे से अथवा भारत सरकार के द्वारा जिन पांच मुख्य ग्रंथियों को और जोधपुर के 40 अंडर ट्रायल्स को छोड़ा गया है, मैं उसका स्वागत करता हूँ किन्तु गृह मंत्री जी ने जो अपना बयान दिया है कि पहले से हालात में सुधार हो रहा है, मैं उससे एक प्रतिशत भी सहमति प्रकट नहीं कर सकता। एक मई 1987 को बरनाला साहब की सरकार बर्खास्त की गई इस कारण कि वह आतंकवाद को रोकने में, बेगुनाहों की हत्याओं को रोकने में असफल रही है। इन 10 महीनों में, बरनाला साहब की हुकूमत में जितने कत्ल हुए थे बेगुनाहों के, उससे ज्यादा हुए हैं। फिर गृह मंत्री जी यह कहें कि इसमें सुधार हो रहा है इससे पब्लिक संतुष्ट नहीं हो सकती आ खुद भले ही संतुष्ट हो जायें ऐसा कह करके यह बात अलग है।

जिस समय ये लोग छोड़े गये, ये पांच ग्रंथी छोड़े गये तो उनका स्वागत अकाल तख्त की परिक्रमा में हुआ। तो क्या यह सही नहीं है कि तत्कालीन कार्यवाहक ग्रंथी दमदमी साहब नरवीर सिंह जी ने चाइनीज स्वचालित राइफल्स से इन ग्रंथियों का स्वागत किया और 'खालिस्तान जिदाबाद' के नारे उस समय लगे? 3 तारीख की रात को साढ़े 11 बजे ग्राम साहरी जिला होशियारपुर में 33-34 बेगुनाह लोगों को हत्याएं हुई हैं और करीब-करीब इतने ही बुरी तरह से घायल हुए हैं। उस समय भी स्वचालित चाइनीज राइफल उनके साथ थीं। मैं यह कहना चाहता हूँ कि गृह मंत्री जी अपने उत्तर में यह बताने की कृपा करें कि हर आदमी के पास ये

स्वचालित चाइनीज राइफल्स कहां से आई और कहां से आ रही हैं? दूसरे किस प्रकार उनके पास पहुंच रही हैं? यह भी बताइये कि अभी तक क्या सुधार हुआ? मैं यह बताना चाहता हूँ कि हर एक हादसे के बाद, बेगुनाहों की हत्याओं के बाद यह आदेश सरकार की तरफ से जरूर सुनते हैं रेडियो पर कि पुलिस को सतर्क कर दिया गया। मैं जानता चाहता हूँ कि क्या अब तक पुलिस सतर्क नहीं थी? साहरी के पूर्व सतर्क नहीं किया गया था पुलिस को? अगर किया गया था तो तब भी हत्याएं क्यों हुई? आपके सतर्क करने का क्या नतीजा निकला?

साथ ही यह भी बताने की कृपा करें कि तीन खास जिले जो पंजाब से लगे हुए हैं अमृतसर, होशियारपुर और एक जिला है उन जिलों में आपने मोबाइल एन्फोर्समेंट स्क्वाड की क्या व्यवस्था की हुई है? इस प्रकार के दारिद्यों को जो बेगुनाहों की निर्मम हत्याएं करते हैं उनको रोकने के लिए आपने क्या कार्रवाई की है? क्या यह भी सत्य है कि मुख्य ग्रंथियों ने छूटते ही एलान किया 'पूर्ण आजादी' का? यदि यह सत्य है तो इस मामले में आपकी क्या प्रतिक्रिया है इस पर भी जरा प्रकाश डालने की कृपा करें। 40 हफ्ते तक आपने पंजाब विधान सभा को सस्पेंडेड एनिमेशन में रखा है तो तीन हफ्ते धानी 21 दिन अगर आप और रख लेते तो क्या फर्क पड़ने वाला था? क्या गृह मंत्री जी इस पर भी प्रकाश डालेंगे कि अगर उन्हीं के आदमी सब चुने जाते तो क्या तब भी असेम्बली को इसी हिमाय से डिजॉल्व करते जैसा अब किया? अभी माननीया बहिन जी बोल रही थीं और कह रही थीं कि यह डेमोक्रेसी के इंटेरेस्ट में किया गया है। मैं समझता हूँ कि यह लोकतंत्रीय प्रणाली के विपरीत किया गया है। पंजाब में जनता की चुनी हुई असेम्बली थी। उसको इतना अधिकार होना चाहिए था कि जाने चुने हुए प्रतिनिधियों को सुने। मान्यवर, जरा इस पर भी प्रकाश डालने की कृपा की जाय कि सन् 1984 में दिल्ली में

जो राष्ट्रमं हुए थे उसमें जो आदमी दोषी पाये गये थे—मेरा यह सामाजिक क्वेश्चन है कि उन दोषी लोगों के खिलाफ अभी तक क्या कार्रवाई की गई है? मैं चाहता हूँ कि यह स्पष्ट रूप से बताया जाय।

आखिर में यह दुःख के साथ कहना पड़ता है कि पंजाब में बेगुनाह लोगों की हत्याएँ दिन प्रति दिन बढ़ती जा रही हैं। सरदार मुरजीत सिंह बरतला तो बेगुनाहों की हत्या के ऊपर एकदम से बयान देते हैं, लेकिन कोई भी मुख्य ग्रन्थी जो धार्मिक नेता हैं और खास करके एकीकृत अकाली दल के नेता बेगुनाहों की हत्या पर किसी प्रकार का कोई बयान नहीं देते हैं। यह तो अवश्य कहते हैं कि कुछ बेगुनाह सिख युवकों को मार रहे हैं। अगर पैरा मिलिटरी फोर्स या पुलिस बेगुनाह सिख युवकों को मार ही है तो उन पर एक्शन लिया जाय, लेकिन मुख्य ग्रन्थी जो धर्म के नाम पर और एकीकृत अकाली दल के नेता जो कल तक वहाँ के मुख्य मंत्री थे और बड़े जम्मेदार आदमी माने जाते हैं, बेगुनाहों की निर्मम हत्या के संबंध में एक भी लफ्फ न कहें, यह बड़े अकसोस की बात है। मैंने ये चार बातें आपके सामने उठाई हैं। मुझे उम्मीद है आप इलेक्शन के संबंध में कुछ बताएंगे और जो आपके दिमाग में सोचना है, ऐसीम्वली भंग करने के पीछे आपका जो उद्देश्य है, उसको भी आप बताएंगे। क्या आप इलेक्शन जल्दी कराएंगे? आपके पास जो पैकेज प्रोग्राम है उसके अनुसार क्या आप इलेक्शन जल्दी करने जा रहे हैं? आपके सोल्यूशन का बिंदु क्या है?

SHRI VISHVJIT PRITHVIJIT SINGH: Mr Vice-Chairman, Sir, I welcome the move of the Government of India which has in its wisdom dissolved the Assembly of the Punjab. I welcome this move I welcome this and at the same time I express my languish, my sorrow, my sympathy and my admiration for

the people of the village Sahari in District Hoshiarpur. I once again welcome the measure of the dissolution of the Assembly. I have my own reasons for doing so. I have heard various sections of this House mentioning the Akali Dal, mentioning the SGPC and they also talked in terms of democracy being affected that it is the death of the democracy and a duly elected Legislature has been removed. They also said that is what people are saying. Sir, let me inform you what Akali Dal are we talking about? Is it that Akali Dal which has lost its majority when the split had taken place? Within the Akali Dal? It was in a minority of Legislators which was supported by my party—the Congress (I)—the party to which I belong to. That was the party which had supported and allowed it to rule. We have its full support. I remember when all sections of this House got together, all the Members of the other House got together—when we had a party meeting in support of Mr. Barnala—when he got the support from every section of the political spectrum—from every section of society in spite of that, he was not capable of ruling the State. The same Akali Dal (Longowal Group) was not capable of ruling. The other Akali Dal had taken to genocide. So, which Akali Dal are you talking about? That Akali Dal which has become bankrupt of all political ideology? That Akali Dal which, as I mentioned here, has taken to terrorism? They are the ones, they are the cause of terrorism. My heart is filled with... (Interruption). Let me speak. Let me tell you. You are talking about Akali Dal whose Ministers could not go into a single area of Punjab without there first being a curfew. What kind of leadership could they provide? You are talking about SGPC. My friend, a very senior Member from Punjab—General Aurora, for whom I have a tremendous respect—has spoken about SGPC. I would like to ask him: Which SGPC? Where is it? That SGPC whose office-bearers cannot enter the Golden Temple? That SGPC which has arrogated its authority to other people, which is not doing anything at all? Is that the SGPC you are talking about? What are you shedding your tears for? Whom are you talking about?...

SARDAR JAGJIT SINGH AURORA:  
You' did not understand me correctly.

SHRI VISHVJIT PRITHVIJIT SINGH: I have understood you aurrectly. y - Lum only posing a rhetorical question. I do not expect any answer. I am only posing a question. Which SGPC are you talking about? What authority are you talking about? You are talking about people who are spent forces in Punjab. They are known as *ਚਲੇ ਫੁੱਕੇ ਰਹਿਣ ਵਾਲੇ*. They are people who have no authority. They are institutions which have lost their credibility. The masses have got no feeling for them. They have no appeal for them. Today we are trying our level best to bring about some kind of normalcy. When President's rule was imposed last time, let me tell you a very curious inci-u. nt which took place in this House. I spoke in this House and said, "Let us hope and pray that this is the last time we impose President's rule in Punjab. " i asked for a political solution. I think you were present in this House, Mr. Vice-Chairman. I said at that time in categorical words, "Please let us have a political solution; lei *at* not have any furti' piesidenrs rule. Everybody else has been *w jfl'ng* for it. " Though I voted for President's rule I made thi<sub>s</sub> appeal, "For haven's sake let this be the last time. " Doordarshan reported, "Vishvjit Singh went against the Congress Party. " I had to give some sort of explanation next day. Fortunately the news-*ntfs* carried the correct story. That ex-*atipn* which I had expressed at that time when I said, "Let there be a political solution", for th? first time now we find that expectation materialising. Yes. the Government of India has decided. First it thought, let a political initiative come from the people themselves. When that political initiative was not forthcoming, th\* honourable Prime Minister in his wisdom took a unilateral decision, "Okay, it is going to come from m<sub>v</sub> side, it is going to come from our side, from the side of the Centre. We will release the »jwe priests and 40 detenus. We will give other political concessions. " We have started the process now. I am very, very grateful—I cannot tell you how grateful I am—that the first batch of Jodhpur detenus has been released. It is something which ought to be welcomed by all sec-

tions of the House. My honourable friend from Rajasthan who, I remember, in this very House on various occasions pleaded for ihe release of the Jodhpur detenus, today he should welcome this step. In fact, I would like to ask for only one clarification from the honourable Home Minister. Very humbly I would like to ask this question. There are many more detenus. What is the schedule of release of these detenus? When is the next batch of detenus going to be released? This is the only clarification I wanted to seek from the honourable Home Minister, and nothing more. Once again I welcome this move. Furthermore, I welcome, more than anything eise, the change in attitude which we have now, to have a unilateral political solution and we ar<sub>e</sub> going to say, "O. K. This is it. " I am very very grateful to God because we are going to have this finally. Thank you very much.

THE VICE-CHAIRMAN (DR. BAPU KALDATE)' Now( Mr. Aladi Aruna.

SHRI ALADI ARUNA *atlas* V. ARUNACHALAM (Tamil Nadu); Mr. Vice-Chairman, Sir, the situation in Punjab is burning and is highly explosive. The popular Government came into existence in 1985 unde<sub>r</sub> the leadership of Mr. Barnala. But, unfortunately, it Was removed on the 11th May, 1987. At (hat time, the Assembly was kept under suspended animation. Sir, the Government is quite aware of the Constitutional position that the President's Rule can be continued only for one year. Meanwhile, the Government could have made necessary ar rangements for conducting the elections. Now, Sir, the ufortunate position is the the Government is very serious about the dissolution of the Assembly and continu ing the President's Rule for many years with an amendment of the Constitution which we strongly oppose. We register our protest against this amendment because the popular Government in the State alone is competent to deal with the situation. What we think is—we are working under a wrong philosophy—that the Govern ment at the Centre is the only agency to deal with the problems successfully, that Che Government at the Centre alone is competent to deal with

[Shri Aladi Aruna *alias* V. Arunachalam] any situation. Certainly not. If it is a serious situation of foreign aggression or external invasion, then I can understand your absolute authority. But when the problem is relating to the States, the more competent and efficient agency is the State and not the Centre. You must allow the State to meet the situation. Then alone it will learn how to govern and that is more important. But you send a team of officers from here, under the President's Rule, by snuffling the officers, by changing them or by transferring them, here and there. But the people who are sent like this are quite unaware of the culture of the area, unaware of the topography of the area, of the manners of the area and the sentiments of the area. They are quite unaware of all these things. They may be quite impartial, I admit. But impartiality alone is not going to be helpful in solving the problem. They must know what is there. They must know how the extremists are operating, who are helping them in what way they are helping them and why the people are supporting them. These factors should be properly examined. By whom? Not by the rulers from the Centre, but by the rulers in the States itself. Then alone you can understand the problem. Unfortunately, we are under the wrong philosophy that the Centre is the only competent agency to deal with the situation. That is wrong.

Now, what has been proved? After the dismissal of the Barnala Government, you have submitted the report to this august House saying that the situation has improved. But what has been proved? Under the President's Rule, the situation has gone from bad to worse. Can you argue that the President's Rule is being continued to solve the problems? No. You seize every opportunity to increase your power rather than solve the problem. I would like to remind this House of one thing. The British people ruled this country for nearly 200 years. But they had only a few Criminal Laws. But, within forty years, you have had many laws. You touch, your heart and tell us here as to how many criminal laws you have, how many laws you have introduced here and

how many amendments you introduced here and got passed by Parliament during the last forty years. But you are not successful in your attempts. Why? Because you fear you are reluctant you are hesitant to approach the problem politically. Now, Sir, they are for Khalistan. But we want the unity and integrity of the country to remain intact. We are one with the Government on this and there is no difference of opinion. We are for unity and we are for the integrity of the country. But under what norms? Under what principles? That is more important. That area should be identified. The Sikhs are not satisfied with the existing provisions of the Constitution. There is freedom of religion, there is freedom of trade, there is freedom of economy, there is freedom of education and everything is there. I am satisfied. Others may be satisfied. But they are not satisfied. Why? We must examine the political issues. But we are afraid to examine the political issues. Unless we identify that area, we cannot solve the problem. But instead of identifying, instead of solving, the political issues, we go on harping on our weapons. You have put the proposal to amend the Constitution so as to facilitate extension of President's rule. Whole principle of emergency class we opposed tooth and nail. You are again taking a step towards military rule, despotic rule, for which the country is not prepared. (*Time bell rings*)

That is why I would like to know what is your political decision and are the alternatives under the continuation of this Government to solve problem successfully? That is more important.

With these words, I conclude.

श्री सत्य प्रकाश मल्लवीय (उत्तर प्रदेश) : उपसभाध्यक्ष महोदय, सबसे पहले पंजाब में जिस प्रकार से निर्दोष लोगों की आतंकवादी हत्या कर रहे हैं अथवा राज्य के आतंकवाद द्वारा हत्याएं हो रही हैं मैं उनकी घोर निन्दा करता हूँ और इस पर गहरा दुःख प्रकट करता हूँ। निर्दोष लोगों की हत्याएं हो रही हैं और चाहे वहाँ राष्ट्रपति शासन रहा हो, राज्यपाल शासन रहा हो या कोई और शासन रहा है, इनको हम एक प्रकार से मूक होकर देखते रहे हैं। लेकिन आज

जिस प्रकार से पंजाब की चुनी हुई विधान सभा भंग की गयी इसका मैं विरोध करता हूँ क्योंकि लोकतंत्र में जो जनता के चुने हुए प्रतिनिधि हैं वे ही विकल्प हो सकते हैं, राज्यपाल शासन या विधान सभा को भंग करके कोई विकल्प आप डढ़ नहीं सकते हैं। मेरी अपनी राय यह है कि जिस प्रकार से पंजाब में आज निर्दोष लोगों की हत्याएं हो रही हैं और आतंकवादियों द्वारा जो जघन्य कार्य वहाँ पर किये जा रहे हैं उनको रोकने में चूँकि यह सरकार असफल रही है, राष्ट्रपति का शासन असफल रहा है इसलिए वहाँ पर अपनी अक्षमता और अपनी अकर्मण्यता पर पर्दा डालने के लिए यह विधान सभा भंग की गयी है। मंत्री जी ने जो वक्तव्य वहाँ पर दिया है उसमें इस बात की उन्होंने चर्चा की है, विधान सभा भंग करने का यह कारण बताया गया है कि वहाँ का जो दैनिक प्रशासन था उस प्रशासन में वहाँ की विधान सभा के सदस्य दिन प्रति दिन हस्तक्षेप करते थे, यह मान्यवर, एक प्रकार से वहाँ की पूरी विधान सभा पर आरोप है, वहाँ की विधान सभा पर आक्षेप है। अगर मान लीजिए कि विधायक या नागरिक यदि किसी प्रकार के प्रशासन में हस्तक्षेप करते हैं तो इसके लिए कानून खुला हुआ है, इंडियन पीनल कोड की धाराएं खुली हुई हैं उनके अंतर्गत आप कार्यवाही कर सकते हैं—यह इस बात का सबूत है कि वहाँ आज सरकार नाम की कोई चीज नहीं है और केवल अपनी अकर्मण्यता पर पर्दा डालने के लिए ही वहाँ की विधान सभा भंग कर दी गयी है।

अंतिम बार वहाँ पर होशियार जिले के सहारी गांव में जो 33 लोगों की हत्या हुई है इसके पहले भी बराबर जनवरी से लेकर फरवरी तक जो सरकार के आकड़े हैं इन 33 हत्याओं को मिलाकर, उनके अनुसार करीब 2 सौ हत्याएं हो चुकी हैं। जैसा कि वक्तव्य में कहा गया है : "पंजाब के राज्यपाल द्वारा मृत्याकन किया गया है कि वर्तमान विधान सभा से कोई ऐसी कारगर, स्थिर या उत्तरदायी सरकार बनने की

संभावना नहीं है जो उपवाद को दूर करने के उद्देश्य के प्रति वचनबद्ध हो..." ठीक यही बात आज जो राष्ट्रपति का शासन वहाँ पर है उसके लिए कही जा सकती है क्योंकि आतंकवाद को रोकने में और निर्दोष लोगों की हत्याओं के रोकने में सरकार बुरी तरह से असफल रही है। अभी विधान सभा समस्या अमरजीत कौर इस बात की चर्चा कर रही थी कि विधान सभा वहाँ भंग कर दी गयी है और कोई उद्घोषणा वहाँ लायी जाने वाली है, वह सदन में प्रस्तुत भी की जायेगी और पंजाब के कुछ हिस्सों में जो संवैधानिक धारा है संवैधानिक अनुच्छेद है उसके अंतर्गत जैसी घोषणा की गयी है उससे लगता है कि शायद आपातकाल लगाने की सरकार की मंशा है और फिर उन्होंने अनुरोध किया कि जो विपक्ष के सदस्य हैं उनको इसमें सहयोग करना चाहिए। बराबर प्रधान मंत्री जी के वक्तव्य समाचार पत्रों में आते हैं कि जो पालिटिक्स आफ कन्फ्रंटेशन है उसको वे नहीं करना चाहते हैं बल्कि सहयोग की राजनीति करना चाहते हैं। तो जब संसद वहाँ पर चल रही थी, अभी तीन दिन पहले वहाँ पर संसद चल रही थी, तो इस बारे में भी संसद के सदस्यों को, जो विपक्ष के नेता हैं, उनको बुला करके उनका सहयोग लेने की कोशिश क्यों नहीं की गई? उनसे सहयोग लेकर के उनसे परामर्श लिया जा सकता था कि ऐसी वहाँ की स्थिति है और इस स्थिति में यह-यह कदम हम वहाँ पर उठाना चाहते हैं। बताइये, आपकी इसमें क्या राय है? तो सहयोग लेने की आप कोशिश करिएगा नहीं, एक-तरफा आप फैसला कर लीजिएगा, लोकतंत्र की आप हत्या करिएगा और चूँकि आपका वहाँ पर बहुमत है, उस बहुमत के जरिए आप चाहते हैं कि जो कुछ भी हम फैसला लेंगे, उसको सदन स्वीकार कर लेगा। (सभ्य की घंटी) तो जहाँ तक इस बात की आपने घोषणा की है कि आपातकाल पंजाब के किसी हिस्से में लगाये जायेंगे, तो मेरा आपसे विनम्र निवेदन है कि आपातकाल की बात को दोहराने की चेष्टा आपको अब इस मुल्क में नहीं करनी चाहिए। पिछली

[श्री सत्य प्रकाश मलवीय]

मर्तवा आपने इस मुल्क में आपातकाल लगाया था।

सन् 1975 में जब आपातकाल लगाया गया था, उस वक्त केप्टिव पार्लियामेंट थी, कितने ही विरोधी दल के नेता जेलों में बंद थे, बिना मुकदमा चलाये आपने उन्हें जेलों में बंद करके रख दिया था। तो मेरा निवेदन है कि आपातकाल आपको नहीं लगाना चाहिए और जब आप स्पष्टीकरण दें, तो उसमें इस बात का स्पष्ट आश्वासन देना चाहिए कि आपातकाल की धाराओं का आप दुरुपयोग संविधान की इन धाराओं का दुरुपयोग अब नहीं करिगा।

तीसरे जितनी भी संवैधानिक व्यवस्थाएँ हैं, उनका प्रयोग किया जा चुका है। वहाँ चुनाव हुए, जनता द्वारा चुनी हुई सरकार बनी, जनता के प्रतिनिधियों ने वहाँ पर शासन किया, मंत्री बने। उसके बाद आपने विधान सभा को निलंबित रखा, अब उसे भंग कर दिया।

तो मैं पूछना चाहता हूँ कि कोई ऐसा तो आपका इरादा नहीं है, संविधान में कोई ऐसा तो संशोधन करने का इरादा नहीं है कि आगे आने वाले जमाने में हमेशा-हमेशा के लिए पंजाब में विधान सभा को आप समाप्त कर दें ?

यह मैं इसलिए कह रहा हूँ कि दिल्ली में पहले विधान सभा थी, लेकिन संशोधन करते-करते आज दिल्ली की हालत यह हो गई है कि यहाँ पर विधान सभा नहीं है। तो इसमें आपकी जो भावना है, आपकी जो नीयत है, मुझे उसमें संदेह लग रहा है। इस प्रकार से संवैधानिक धाराओं का आपको दुरुपयोग नहीं करना चाहिए।

चौथे, जो जोधपुर के बंदी हैं, सन् 1984 में बंद किये गये, वह करीब-करीब पौने चार सौ हैं। सही है कि आपने उनमें से चालीस लोगों को रिहा किया। आप देर आयद—लेकिन मैं समझता हूँ

कि आप अभी भी दुरुस्त नहीं हैं, क्योंकि आपके जितने भी जोधपुर में बंदी हैं, उन सब को रिहा करना चाहिए था। किसी भी लोकतंत्र में तीन-तीन, साढ़े तीन-साढ़े तीन साल बिना मुकदमा चलाये, आप किसी भी बंदी को जेल में बंद रखते हैं, यह इस बात का प्रमाण है कि उसके विरुद्ध आपके पास कोई सबूत नहीं है, उसके विरुद्ध आपके पास कोई प्रमाण नहीं है। इसलिए मैं पुनः आपसे निवेदन करना चाहता हूँ कि आपको आज ही इस सदन में घोषणा करनी चाहिए कि जोधपुर में जितने बंदी हैं, उनको आप तत्काल रिहा करिगा और अगर उनके पीछे कोई प्रमाण है, तो आप फिर उनको गिरफ्तार कर सकते हैं, फिर उनके ऊपर मुकदमा चला सकते हैं, और इस सिलसिले में केवल एक शायर की बात कहना चाहेंगा—

लेट के मरीज है,  
वेशक अकल आती है,  
लेकिन अकल वक्त पर नहीं  
आती।

इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

SHRIMATI BIJOYA CHAKRAVARTY

(Assam): Mr. Vice-Chairman, Sir, I condemn the ruthless killings in Punjab and I also convey my deep sympathy the bereaved families. Sir, I know know the traumatic experience of the people when the State Assembly is kept under suspended animation. This is practised in Assam and this is practised in Punjab. And this simply makes the Punjab issue still worse. Now I want to ask the hon. Minister a few questions.

At a time when there is a good chance of Longowal and Badal groups arriving at a point of understanding, why is the Legislative Assembly dissolved in Punjab? Is it to make the matters still worse? Why did the Government fail to give them some more time? When it was kept under suspended animation for more than 11 months, why can't the hon. Minister keep

the Assembly under suspended animation for another two months or one month? My second point is this: By talking to Jathedar Jasbir Singh, the Government is talking to a religious leader about political matters. By this, does the Government want to mix politics with religion? Does the Government want to make the matters still worse? By this, does the hon. Minister want to have some gain for his own party?

Sir, my third point is that suppression in Punjab will not bring the results. What is the reason behind the hon. Minister's saying that the turmoil, the trouble, the deteriorating law and order situation is because of the Legislative Assembly? When a Legislative Assembly is kept under suspended animation, it has got no authority to exercise of its own. How the Assembly can work then? I know the situation because it is practised in Assam. In this situation the people are working as if they are puppets in the hands of the Centre. What is the use of blaming the Government, when wires are being pulled from behind? My fourth point is that I want to know what is the aim of your Government? Are you honestly try to find a solution or you are trying to create a more deterrent situation in Punjab by dissolving the Assembly at this time? Sir, the main point is that the Government should try to find the areas and issues which affect the Sikh people the most

Sir, I want to know why did the hon. Minister in his statement fail to mention regarding the other people who are kept in the Jodhpur jail. By putting the people in jail how can a Minister hope that they can open a dialogue or he will have a good environment created for a peaceful atmosphere in the country. I appeal to the good sense of the Hon. Minister that he should try to arrive at a political solution with all the sincerity. Thank you.

THE VICE-CHAIRMAN (DR. BAPU KALDATE) : Mr. Matto, the last speaker.

SHRI GHULAM RASOOL MATTO: Mr. Vice-Chairman, Sir, on behalf of the Jammu and Kashmir National Conference and on my own behalf I condemn the

killings in village Sahari and I associate myself with the sentiments expressed by the hon. Home Minister. I also want, through you, Sir, that the condolences of my party may be conveyed to the bereaved families.

Sir, the Home Minister has come with a Proclamation regarding the dissolution of the Assembly. In my opinion, the Prime Minister was left with no other choice but to dissolve the Assembly. Here I may slightly disagree with the hon. Home Minister that the reason given by the Governor that there is no likelihood of the emergence of any effective, stable or responsible Government, committed to the cause of removing the terrorism out of the present Legislative Assembly, may not be correct, because the present Leokhiti Mehar Singh Government comprises besides 32 members of the Congress party, some other moderates who are committed to eradicating terrorism. To my mind, Mr. Vice-Chairman, the biggest reason that weighed with the Prime Minister and the Home Minister is the dissension within the Akali Party. Mr. Vice-Chairman, Sir, there are 32 members of the Congress Party. There are two groups, Longowal group and the Prakash Singh group, and one group of 22 members was expelled, and such a situation has arisen in which it was very difficult for the emergence of a stable Government and this to my mind, is the main reason, that weighed with the Prime Minister and that is the correct reason. I am sad, however, to bring to the notice of the hon. Home Minister — it had been brought to my attention yesterday — that the Indian Post of Bombay gave a news item which, to my mind is very disturbing. Why I say this, Mr. Vice-Chairman is because the hon. Home Minister took me to the airport in the early hours of the morning umpteenth time during the last year and I had to address several meetings in Punjab in the Punjabi language which is not my mother tongue, to bring peace to this land because peace in Punjab is vital for Jammu and Kashmir. But still terrorism continues unabated. So, why I am sad is because yesterday the Shiv Sena

[Shri Ghulam Rasool Matto]

chief, Mr Bal Thackeray has appealed to the Sikhs outside Punjab to pressurise their religious leaders and ask the extremists to fall in line of face economic boycott. He wanted Sikh priests to declare the terrorists demanding Khalistan tankhaya. We warned of a nationwide boycott to all Sikh commercial establishments if the massacre of innocent people was not stopped in 15 days... Thackeray said Sena volunteer would appeal to the people to boycott Sikh commercial establishments, taxicabs or trucks, operated by them..."

I would like, through you, to appeal to the Prime Minister if he has received this report, to take all effective steps to nip this conspiracy in the bud. This is a very dangerous trend and I strongly condemn it and I want the Government to come out with its policy statement as to what they are doing about it.

Sir, while I support the hon. Home Minister, he has, in his statement, stated that he is coming in the current session of Parliament with a Bill to facilitate extension of President's rule in Punjab, as and when necessary. This to my mind is a cavalier way in which he is trying to take powers. Other Members have asked as to when elections are going to take place. If he feels that elections cannot be held, in the current session of Parliament he could extend it by another six months, but not 'as and when necessary'.

My last point — and that is very vital — is application of article 352, Mr. Vice-Chairman, we have a very bitter experience about the political advantage taken of the emergency. There may be good reasons for the Home Minister to say — which I am sure he will elaborate in his reply — as to why he wants section 352 to be amended and made applicable to the State of Punjab. But I would request him to take the Opposition parties also into confidence before placing a Bill before Parliament. The Government has the ultimate power; it has the majority to pass it. But I would request him to take Opposition parties also into confidence so that the political edge [

out of application of section 352 is taken out. That is my request to him.

Finally — and it is very important — there are reports in the newspapers that Mr. Jasbir Singh has stated that the J demanding: with him was that women and children from Jodhpur jail will be released. I would request him to consider this issue and today announce it in the House that the women and children are also going to be released from Jodhpur jail and others will also be released in due course.

With these observations, I support the proclamation issued.

श्री बूटा सिंह : उपसभाध्यक्ष महोदय जो पंजाब के बारे में मैंने वक्तव्य दिया, वह बहुत स्पष्ट है। उसमें जो चार मद्दे रखे गए हैं, उनके बारे में किसी प्रकार का भी संशय नहीं है। फिर भी माननीय सदस्यों ने कुछ और स्पष्टीकरण चाहे हैं, तो मैं एक-एक माननीय सदस्य के प्रश्नों का स्पष्टीकरण प्रस्तुत करने जा रहा हूँ।

आदरणीय जनरल अरोड़ा साहब ने कुछ आरोप लगाए, केन्द्रीय सरकार के ऊपर कि केन्द्रीय सरकार ईमानदारी से पंजाब के मामले को हल करने के लिए प्रयास नहीं कर रही है। मैं उनके आरोपों का इतना ही उत्तर देना चाहता हूँ कि आज जनरल साहब वकालत कर रहे थे युनाइटेड अकाली दल की। पहले तो वह बरनाला दल में थे, मगर आज उन्होंने वकालत युनाइटेड अकाली दल की की... (व्यवधान)... इसमें गलत क्या है, आप बरनाला अकाली दल में थे।

सरदार जगजीत सिंह अरोड़ा : मैं बरनाला अकाली दल में अब भी हूँ।

श्री बूटा सिंह : मैं यही तो कह रहा हूँ। मगर आज आपने वकालत की है युनाइटेड अकाली दल की... (व्यवधान) उपसभाध्यक्ष महोदय, आप अपने तर्क में यहां तक कह गए कि हमने एस० जी० पी० सी० को तोड़ा है। क्या यह



सही नहीं है कि 16 मार्च, 1987 को जबकि शिरोमणि गुरुद्वारा प्रबंधक कमेटी का वार्षिक चुनाव हुआ तो जो भी अकाली दल कहिए—क्योंकि एक का नाम लेता हूँ तो भी नाराज हो जाते हैं और दूसरे का नाम लेता हूँ तो भी नाराज हो जाते हैं, जो भी अकाली दल कहिए, शिरोमणि कमेटी नाम की संस्था जो कानून के अंतर्गत बनी है, इतनी शिथिल हो चुकी थी।

**श्री दीपेन घोष :** हो चुकी है।

**श्री बूटा सिंह :** अब तो है भी नहीं। उस वक्त इतनी शिथिल, इतनी कमजोर हो चुकी थी कि शायद शिरोमणि कमेटी के इतिहास में पहली बार वह अपनी मीटिंग निर्धारित स्थान पर नहीं कर पाए। आज तक शिरोमणि कमेटी का जो हैड-क्वार्टर है, अमृतसर में हरमिंदर साहिब परिसर के अंदर, वहीं मीटिंग होती रही है। वह पहली बार इतने डर गए कि वहां उनको मीटिंग करने की भी हिम्मत नहीं पड़ी और उन्होंने जाकर आनंदपुर साहिब में मीटिंग की। क्या यह भारत सरकार की वजह से हुआ या अकाली दल के नेताओं के अंदर की कमजोरी की वजह से हुआ?

**SARDAR JAGJIT SINGH AURORA:**  
You are only putting a name in it.

**SHRI BUTA SINGH:** I am asking you the clarification.

**SARDAR JAGJIT SINGH AURORA:** I am giving you the clarification.

**THE VICE-CHAIRMAN (DR, BAPU KALDATE):** If you have to say something, you have to stand and speak.

**SARDAR JAGJIT SINGH AURORA:**  
Yes, Sir. I will give a clarification. There (is no doubt that the SGPC has been weakened and it has been weakened owing to /dissensions, I am not going into that, but the last step that is taken by the Government, that is the death knell, that is the point I want to make. Why is he Government trying to destroy something which is constituted under the Government authority itself?

**SHRI VISHVJIT FRITHVIJIT SINGH:** It is already destroyed^

**SARDAR JAGJIT SINGH AURORA:**  
No, it is not destroyed.

**श्री बूटा सिंह :** उपसभाध्यक्ष महोदय, मैं तो अभी सदन के सामने अकाली दल के दोनों पक्षों का चित्रण पेश कर रहा हूँ कि उनके अंदर की तस्वीर क्या है? जिस बात का आरोप हमारे ऊपर लगाया जा रहा है कि हमने अकाली दल को कमजोर किया। मैं तो सभाध्यक्ष महोदय, आपके सामने यह प्रश्न रख रहा हूँ कि वह गुरुद्वारा प्रबंध कमेटी, जो कानून के अंतर्गत सिख गुरुद्वारों का प्रबंध करने के लिए नियत की गयी है, वह इतनी डरपोक हो गयी है, इतनी कमजोर हो गयी जिसमें मान्यवर सदस्य के नेता भी हैं और यूनाइटेड अकाली दल के नेता भी हैं, कि वह अपनी मीटिंग निर्धारित स्थान पर नहीं कर सकी और वहां से भागकर जाकर आनंदपुर साहिब में मीटिंग करनी पड़ी। जनरल साहब अभी हमारी क्रेडिबिलिटी की बात कर रहे थे, जनरल साहब को अपनी क्रेडिबिलिटी का कोई एहसास ही नहीं है। आज उन्होंने न जाने उनको क्या-क्या कह दिया—ग्रंथी कह दिया, फेमिली कह दिया, परिवार कह दिया। यह जो ग्रंथी थे—जन्येदार अकाल तख्त या दूसरे ग्रंथी एक मान्यवर, सदस्य ने कहा कि उनको शरबत खालसा में एपाइंट किया गया था। मैं पूछना चाहता हूँ कि उनको रेगुलराइज किसने किया? क्या शिरोमणि कमेटी की अंतरिम कमेटी ने नहीं किया? उनकी एकजीक्यूटिव ने नहीं किया? क्या भारत सरकार ने किया था? यह सब कार्यवाहियां अकाली दल ने कीं और अपने हाथ से बोए हुए पौधे में जब फल लगने लगे तो वहां से छोड़कर भाग गए। सारा कंट्रोल उनके हाथ में दे दिया और नतीजा यह हुआ कि आज बहुत से सदस्य मुझसे पूछ रहे थे कि आपने इस वक्त एसंबली को क्यों तोड़ा? जब यह एसंबली चुनी गयी थी तो उस वक्त यह लोंगोवाल जी के नाम से एसंबली चुनी गयी थी। सभी अकाली एम० एल० एज० लोंगोवाल जी के टिकिट पर चुने गए थे और जब उनका सत्तारूढ़ दल बन गया, उनकी

[श्री बट्टा सिंह]

गवर्नमेंट बन गयी तो यह दल किसी उसूल पर नहीं टूटा है। यह व्यक्तियों के मुख्य मंत्री बनने पर टूट गया। उसमें हमारा क्या कुसूर था। उस समय तो जनरल साहब उनका पूरा साथ दे रहे थे और ताजा बात हुई है वह जनरल साहब को यहां रखनी चाहिए थी। उपसभाध्यक्ष महोदय, मैं तो नहीं जनता कि कहां तक सच है मगर अबबार में छपा था कि बरनाला साहब ने पिछले हफ्ते आफर दी थी कि वे बाइस के बाइस एम० एल० एज० को लेने के लिए तैयार हूं। न जाने वह कैसे लेते। वह तो कानून के अंतर्गत डिस्क्वालिफाई हुए थे। वह उन को कैसे लेते? लेकिन आज तक यू० ए० डी० ने उसको रिजेक्ट भी नहीं किया। यह भी भारत सरकार ने करवाया? वस्तुस्थिति यह है कि आज का यू० ए० डी० अपनी ही नीतियों के चलते इतना लिथिल और कमजोर हो चुका है कि आज पंजाब में जिस क्रेडिबिलिटी को आप हमारे ऊपर थोप रहे हैं, मैं कहना चाहता हूं कि आज वहां अकाली दल के किसी नेता की कोई क्रेडिबिलिटी वहां नहीं रही है। वहां हमारे बादल साहब न तो पहले और न रिहाई के बाद ही आज तक हरमंदिर साहब नहीं जा सके। अगर उनकी इतनी भी क्रेडिबिलिटी नहीं है कि जहां वे अपनी राजनीति चलाते हैं वहां हरमंदिर साहब जाकर नमस्कार कर सकें तो मैं नहीं समझता कि वहां आप किस अकाली दल की क्रेडिबिलिटी की बात कर रहे हैं। मैं जनरल साहब का मशकूर हूं कि उन्होंने इन सारे इंसिडेंट्स की निन्दा की है, अगर यू० ए० डी० ने अभी तक यह भी नहीं कहा। यह जो सारा वाक्या हुआ है यह मुझे तो जल्योवाला बाग की याद दिलाता है जब कि अंग्रेजों ने बहुत पवित्र मौके पर बहुत से लोगों की एक स्थान पर हत्या की थी जिसमें पंजाब के सभी धर्म के लोगों ने एक साथ देश के लिये अपना खून बहाया था। यह वैसा ही शायद दूसरा मौका है। आज जब कि पंजाब में फिरकावार सांप्रदायिकता की आग भड़क रही है, पंजाब के बहादुर लोगों ने जिसमें हिन्दू,

सिख, मुसलमान, ईसाई, जो सभी उस बाबा के डेरे पर जाते हैं और वहां वार्षिक समागम होता है होली के अवसर पर, वहां जब आतंकवादियों ने चुनौती दी कि सिख लोग एक तरफ हो जायें ताकि हम दूसरे लोगों को मार सकें तो उन्होंने जवाब दिया कि हम पंजाब के बहादुर सिपाही हैं। अगर हमें मरना है तो हम सब मिल कर एक जगह ही मरेंगे। लेकिन यू० ए० डी० के लोगों ने सहारी का जिक्र एक बार नहीं किया और सहारी तो क्या पंजाब के युवा अकाली दल यूथ के प्रेसीडेंट पटियाला में मारे गये। वह तो विरोधी दल के नहीं थे, वह तो कम्युनिस्ट या कांसेस के नहीं थे उन के लिये भी न तो कोई बयान आया, न कोई वक्तव्य दिया गया। युवा अकाली दल यूथ के प्रेसीडेंट को उन्होंने मार दिया लेकिन आज तक यू० ए० डी० के किसी नेता ने उसकी हत्या की निन्दा नहीं की, इक्लडिंग जनरल साहब। इतनी डरी हुई नेतागिरी को हम क्रेडिबिलिटी कैसे दे सकते हैं। पंजाब की स्थिति बहुत गंभीर है। हमारे उपेन्द्र जी ने, गुरुपदस्वामी जी ने, जसवन्त सिंह जी ने बड़े भावनात्मक वक्तव्य दिये हैं जिनकी बहुत सख्त जरूरत है, मगर वस्तुस्थिति से यह बहुत दूर है। वहां पंजाब के वातावरण में किस तरह से लोग वहां जूझ रहे हैं, किस तरह से वहां की पुलिस और सेना के बल कैसे उनका मुकाबला कर रहे हैं, इसका अंदाजा नहीं लगाया जा सकता। वहां वे बड़ी कठिन परीक्षा की घड़ी से गुजर रहे हैं। यहां बैठ कर हम लोग अपनी भावना को व्यक्त करते हैं। यह भी बहुत अच्छी बात है। यह भावना चाहिए उनका मारेल बूस्ट करने के लिये। और जब हम ने कहा था कि स्थिति में सुधार आया है तो यह ठीक है कि वहां किलिंग बड़ी हैं, लेकिन यह भी ठीक है कि वह पंजाब की पुलिस जो पहले घबराया करती थी, लोगों का थाने में विश्वास नहीं रह गया था, सीनियर पुलिस अफसरों पर विश्वास नहीं रह गया था, लेकिन आज कोई जिला ऐसा नहीं है जिसमें सीनियर पुलिस अफसरों के परिवार के परिवार नष्ट न हुए हों लेकिन फिर भी वे मुर्तदे से ड्यूटी

पर चल रहे हैं। पहले सरकार पर यह आरोप लगाते थे बाहर भी और सदन में भी कि बहुत से लोग पंजाब की पुलिस के उन के साथ मिले हुए हैं लेकिन आज वही पंजाब की पुलिस हाँसले के साथ, हिम्मत के साथ उनका मुकाबला कर रही है। भारी जोखिम में भी अपना काम कर रही है। यह वहाँ की स्थिति में सुधार हुआ है। मैं मानता हूँ कि वहाँ हत्याएँ बड़ी हैं क्योंकि उनके पास हथियार आ रहे हैं पड़ोसी देशों से। उनको बहुत मदद मिल रही है, पैसे से, शिक्षा से, हथियारों से। हथियारों से मदद कर रहा है और इसलिये उसमें हम यह नहीं कह सकते कि एक दिन में पंजाब सरकार या केन्द्रीय सरकार आतंकवादियों का सफाया करके उनके ऊपर फतह कर सकेगी। यह बहुत ही कठिन काम है। एक लम्बा अरसा इसमें लग सकता है। इसमें एक समय तो यहाँ तक आ गया था कि जून के महीने में जब कि बहुत दिन तक एक भी हत्या नहीं हुई थी मगर एकाएक जब उनके बड़े बड़े नेता लोग मारे गए, जिन्दा की गिरफ्तारी से पहले तीन चार बहुत बड़े आतंकवादी जब मारे गए थे तो उनका बल बहुत टूटा था। फिर उनको अचानक बहुत प्रोत्साहन मिला और साथ ही जो टैरारिस्ट ऐक्ट में हमने संशोधन किया था, उस संशोधन को पंजाब हाई कोर्ट ने रद्द कर दिया था जिसके फलस्वरूप काफी संख्या में आतंकवादी जेलों से छूट गए, जब कि हम सुप्रीम कोर्ट में गए और सुप्रीम कोर्ट में उनको बहाल किया। ऐसी स्थिति में डेढ़ दो महीने लग गए और काफी संख्या में आतंकवादी जो जेलों में थे उनको छोड़ना पड़ा। उसकी वजह से उनकी गतिविधियों में एकदम से फिर उभार आया और काफी हत्याएं बड़ी और अब फिर स्थिति नियंत्रण में है उसमें सहारी गांव की घटना भी है जिसके बारे में कोई भी नहीं सोच सकता था कि पिछड़े इलाके में जो गांव है, कोई भी उसका ख्याल नहीं करता था कि इस तरह से वहाँ घटनाएं हो सकती है। बस में, कचहरियों में इस तरह से वे विस्फोट कर देंगे। लेकिन उनके जो

हमले हैं इंटेलिजेंस से हम उनका मुकाबला कर सकते हैं। कोशिश बहुत हो रही है, मगर एक दम से यह कह सकें कि एक ही दिन में खत्म कर देंगे, यह संभव नहीं हो सकता। हमारी कोशिशें जारी है। हमारा यह दृढ़ संकल्प है कि हम पंजाब से आतंकवाद और सांप्रदायिकता को एक दिन उखाड़कर फेंक देंगे। इसके लिए पूरा प्रयास है। पंजाब सरकार के प्रयास हैं, हम उनको पूरी मदद दे रहे हैं। पंजाब के लोगों का साथ हमें मिल रहा है। सभी राजनीतिक दलों ने अलग-अलग और सब मिलकर भी सी. पी. एस. ०, सी. पी. ० आई. ०, बी. ० जे. ० पी. ० और कांग्रेस पार्टी ने मिलकर तीन चार सौ के करीब भीटिंगें की हैं ब्लाक लेवल पर, तहसील लेवल पर और जिला लेवल पर और बड़े विस्तृत रूप में पंजाब के लोगों ने उनका पूरा-पूरा साथ दिया है। यही वजह है कि हममें आज ऐसी भावनाएं मिल रही हैं, लोगों के सहयोग की प्रेरणा यह है कि सहारी जैसे छोटे से कस्बे में लोगों में आज मुकाबला करने का साहस पैदा हुआ है, भले ही वहाँ लोग मारे गए हैं। लेकिन इससे पूरे देश के लोगों को सन्तोष होता है। पंजाब के लोग आतंकवाद और फिरका-परस्ती के सामने झुकेंगे नहीं। इसलिए हमें सन्तोष होता है कि आतंकवाद को पूरी तरह से हम मिटा सकेंगे और पूरी तरह से उस पर काबू पा सकेंगे।

मान्यवर, माननीय सदस्यों ने जोधपुर के बारे में चर्चा की कि वहाँ के 40 लोगों को छोड़ा गया। मैं माननीय सदस्यों को इस बारे में पूरी जानकारी दे दूँ, शायद उनको यह मालूम नहीं है। जोधपुर में जो लोग जेल में हैं, वे डेटन्यूज नहीं हैं, वे अंडर-ट्रायल हैं। यह कह देना कि चार साल से कोई मुकदमा ही नहीं चला, वे समझता हूँ कि इसमें कोई तथ्य नहीं है। यदि मुझे इजाजत दें तो मैं थोड़ा-सा बैकग्राउंड बताऊँ कि जोधपुर के लोग किस तरह से जेल में गए, क्या-क्या उनके ऊपर दोष थे और किस तरह से सरकार ने उन पर मुकदमें चलाए, क्या-क्या परिणाम उनके हुए।

[श्री बूटा सिंह]

श्रीमन्, ब्लू स्टार आपरेशन के बाद गोल्डन टेम्पल कॉम्प्लेक्स में सेना के और पैरा मिलिटरी फोर्सों की यूनिट्स जो कि ड्यूटी पर थे, उनके पास जो स्पेशल पावर्स थीं, जो आर्म्ड फोर्स ऐक्ट था, उसके अंतर्गत बहुत से जत्थे बैन किए गए थे, जैसे आल इंडिया सिख फेडरेशन, दल खालसा आदि उनके अंतर्गत, सेना ने, सुरक्षा बलों ने 6 जून से लेकर 10 जून तक पंजाब सरकार के कहने पर

1992 लोगों को गिरफ्तार किया। 5.00 P.M. जिस समय 433 लोग ऐसी कैटेगरी में रखे गये थे जिन के ऊपर सेक्योरिटी फोर्सों को कफर्ट करने के दोष थे उनके खिलाफ केस रजिस्टर्ड हुए थे। बाद में ये केस सी० बी० आई० को दिये गये। सी० बी० आई० ने इनके ऊपर मुकदमा चलाया अंडर आर० सी० 2/84, 14 जून, 1984 को सैक्शन 121, 121 ए, 122, 123, 124, 153, 153 ए, 153 बी, 302, 307, 333, आई. पी. सी. के अन्तर्गत। सी. बी. आई. के इन्वेस्टीगेशन के मुताबिक 51 लोगों को सी. बी. आई. ने देखा। जो चार्जज फ्रेम किये गये थे उसमें जिस धारा के अंदर इसको रखा गया था वह कवर नहीं होते इसलिए उनको छोड़ दिया गया। इस वक्त जोधपुर में 379 लोगों पर मुकदमें चल रहे हैं। पंजाब गवर्नमेंट की दख्खान्त के ऊपर इन्हें ट्रायल करने के लिए ट्रायल कोर्ट्स जोधपुर में स्थापित किये गये। पंजाब गवर्नमेंट ने ऐसा महसूस किया था वहां पर उनका ट्रायल नहीं हो सकता। इसके लिए एक स्पेशल कोर्ट जोधपुर में सैट किया गया अंडर सेक्शन 4(2)

4(2) of the Terrorist Affected Areas (Special Courts) Act, 1984. The facts of the circumstances and the case, as reported by the State Government and all other relevant factors, the Central Government issued and declared on 4th January, 1985, under the provisions of the Terrorist Affected Areas (Special Courts) Act, 1984 that the case shall be tried by

the additional court at Jodhpur in Rajasthan.

इस तरह से सी. बी. आई. ने चार्ज शीट एडीशनल कोर्ट के सामने फायल की। जिन सैक्शनों का मैंने उल्लेख किया है उनके ऊपर कानूनी कार्रवाई शुरू हुई। जब इनके विटनेसेज प्रोड्यूस करने की बात आई उस वक्त कुछ आब्जेक्शन उठाये गये विटनेसेज को आइडेंटिटी डिवलियर करने के। इस मसले को लेकर मामला सुप्रीम कोर्ट में आ गया और वह अब तक सुप्रीम कोर्ट में पेंडिंग है। आज यह कहना कि इनके ऊपर मुकदमा नहीं चला, चार साल से गैर मुकदमें पर रखे हुए हैं यह बात निराधार है, असत्य है।

जैसा पिछले सत्र में कहा गया था भारत सरकार की तरफ से प्राइम मिनिस्टर साहब ने और दूसरे दलों के नेताओं ने यह कहा था कि इसके ऊपर थोड़ा सर्वेक्षण होना चाहिए, ये केस रेव्यू होने चाहिए। इसके अन्तर्गत 40 लोगों की सी० बी० आई० की तरफ से रिहाई करने के लिए प्रोसिच्यूटर ने एप्लीकेशन दाखिल की।

असेम्बली भंग करने के प्रश्न को लेकर भी बहुत से माननीय सदस्यों ने एतराज किया। मैंने जैसा अभी उल्लेख किया यू. ए. डी. की बात करते-करते कि आज असेम्बली के बारे में ऐसी चर्चा हो रही थी कि जिन असेम्बली के सदस्यों को कानून के अन्तर्गत दख्खान्त किया गया था उनको रिस्टोर करने का पड्यंत्र चल रहा था। इसके साथ-साथ कोई ऐसा लग भी नहीं रहा था कि असेम्बली किसी भी लाभदायक काम के लिए सहायक हो सकती है। साथ ही माननीय सदस्यों ने स्वयं कहा है आज भी भ्रम का प्रचार हो रहा है कि अकाली दल के दोनों वर्ग इसमें लगे हुए हैं इनकी सरकार बनेगी। लोगों को डराया जा रहा है, बहकाया जा रहा है इसलिए राज्यपाल महोदय की रिपोर्ट में जिस बात का उल्लेख हुआ है उसी के कारण असेम्बली को तोड़ना पड़ा।

कब तक असेम्बली के चुनाव हो सकते हैं इसका उल्लेख मैंने अपने वक्तव्य में भी किया है। जैसे ही वहाँ की परिस्थिति सुधरेगी हम वहाँ चुनाव करा सकते हैं। इस वक्त पंजाब में सबसे ज्यादा आवश्यकता इस बात की है कि शांति व्यवस्था कायम की जाये। आतंकवाद को खत्म किया जाये, ऐसा वातावरण पैदा किया जाये जिससे लोगों में विश्वास पैदा हो कि यहाँ पर अच्छे माहौल में चुनाव हो सकते हैं, स्थिर सरकार बन सकती है। जैसा अभी माननीय सदस्यों ने कहा कि कांग्रेस पार्टी ने इलेक्शन जीतने के लिए ऐसा किया, पिछले दिनों जब चुनाव हुए थे और जिन हालात में चुनाव हुए थे उस वक्त यह नहीं कहा गया था कि इस वक्त चुनाव कराना खतरनाक है। बिल्कुल चुनाव मत कराओ, लेकिन उस वक्त चुनाव हुए और परिणामस्वरूप एक सरकार बनी। ऐसे ही जब हालत ठीक होगी और जैसे ही वहाँ के स्थानीय अधिकारी, वहाँ के राज्यपाल ऐसा महसूस करेंगे और उनकी रिपोर्ट देखकर उसकी व्यवस्था की जा सकती है, इसमें कोई संदेह नहीं है।

बहुत से हमारे मित्रों ने, मैंने संविधान में संशोधन का जो छोटा सा उल्लेख किया है, उसके बारे में श्री उपेन्द्र जी ने और श्री गुरुपदस्वामी जी ने बड़े जोरों से कहा कि पुरानी हालत को दोहराया जा रहा है। मेरा उनसे नम्र निवेदन है कि वे पंजाब के मामले को समझने की कोशिश करें। यह किसी दल की बात नहीं है। मुझे याद है, जब टेरोरिस्ट एक्ट इसी सदन में पास किया गया तो दीपेन बाबू ने उसका विरोध किया ... (व्यवधान)

श्री दीपेन घोष (पश्चिमी बंगाल) : आज भी विरोध करते हैं।

श्री बूटा सिंह : लेकिन जब आपको जरूरत पड़ी तो दार्जिलिंग में आपको उसको लागू किया, जब कि आप उसका विरोध करते रहे ... (व्यवधान) कांस्टिट्यूशन किसी एक दल की मोनोपोली

नहीं है। टेरोरिस्ट एक्ट का प्रावधान नहीं होता तो आप उसको कैसे लागू करते।

श्री सुकोमल सेन : आपकी भी मोनो-पोली नहीं है।

श्री बूटा सिंह : टेरोरिस्ट एक्ट का प्रावधान इस सदन ने किया तो उसी का फायदा आपको दार्जिलिंग में मिल रहा है ... (व्यवधान) :

SHRI DIPEN GHOSH: You were insisting on.

SHRI BUTA SINGH: I am only saying that it suits them here today because you want to hit the headlines. Tomorrow you will require it.

SHRI NIRMAL CHATTERJEE (West Bengal): That is why we are objecting to it.

SHRI DIPEN GHOSH: You were insisting on... (Interruption?). Let there be a debate on this issue. Tomorrow itself you can come and we shall have a debate. You are accusing the Akali Dal that they were not raising their finger against the killings. You are also not raising your finger against Ghising. Instead you are inviting him to your chamber though he is attacking your policemen.

SHRI BUTA SINGH: All with the consent of the Chief Minister of West Bengal.

SHRI DIPEN GHOSH: You are not acting upon the Chief Minister's consultations. You are acting upon Ghising's consultations. I know that.

SHRI BUTA SINGH: Yes if your Chief Minister wants me I will do.

SHRI DIPEN GHOSH: You are not acting upon the Chief Minister's consultations. In that case you would not have invited Ghising.

SHRI BUTA SINGH: Bilt unfortunately you are not the Chief Minister. The Chief Minister is somebody else. It is a serious point. I am not trying to gain a point. I am only saying that here is a possibility that we must have a provision in the Constitution. If that provision was there it would be 'available to Darjeeling also. Let me say again if you had used

[Shri Buta Singh]

this provision in Tripura you would not have seen the .....

SHRI DIPEN GHOSH: We would not have used it in West Bengal had you not encouraged Ghising. Then, we would not have introduced it there.

SHRI BUTA SINGH: It suits them. They want to oppose here. But when it is provided in the Constitution or in the...

SHRI DIPEN GHOSH: You know better than anybody else who is behind! you. We are opposing even the introduction of that Act in Darjeeling.

SHRI BUTA SINGH: I know you will oppose it here. Unfortunately, when it comes to be used, you will use it also.

SHRI SUKOMAL SEN: Because of your encouragement only.

SHRI BUTA SINGH: We are using it because of you—if I had to say that.

SHRI DIPEN GHOSH: Our people are being killed in Punjab. Your people join Ghising's party.

SHRI BUTA SINGH: As a matter of fact, these are all harsh measures. Nobody would welcome these measures. I am not happy with these measures. But unfortunately when the situation goes out of hand when all other methods fail ..... You want to ask something.

SARDAR JAGJIT SINGH AURORA: Yes. The point really is that in a democratic country when you make such harsh laws you should consider that you may have to make them tougher later on. There is a need to do a certain amount introspection to see where we have failed. I think a Government which has been in power apart from three years all this time and brought the situation to this pass must also do introspection rather than saying that we are going to make tougher laws you can use tomorrow or the day-after. That is really the bane of this country and it is not really the question of law or one group doing this and another

group doing some thing else. It is just quibbling thing. The main thing we have to consider, as citizens of this country and with the power to govern, is that whether the country is flourishing, has it achieved more solidarity and effective law and order situation. If we do not do our duty properly what do we find? Every year we are going from bad to worse. That is all.

SHRI PAWAN KUMAR BANSAL (Punjab): An honest introspection is required on the part of the Akalis.

श्री बूटा सिंह : उपसभाध्यक्ष जी, मैं यह कह रहा था कि मैं इस बात से बिल्कुल खुश नहीं हूँ कि इस तरह के हमें हर्ष मौजसे लेने पड़े। मगर इस चीज को हम सभी मिलकर रोक सकते हैं। हम सब कोअपरेशन करे और सबसे ज्यादा जरूरत कोअपरेशन की पंजाब में उनकी है जो अपने आपको सिख कम्युनिटी का नेता कहते हैं। उनके सहयोग की सबसे जरूरत है।

But, unfortunately, they refused to address themselves to such difficult problems.

टेरोरिज्म के खिलाफ माइरेट का नाम लिया जाता है। माइरेट एक ऐसा शब्द है जिसकी डिग्री में फर्क रहता है कि कौन कितना माइरेट है। बरनाला सरकार माइरेट थी। मगर उस वक्त के बाद से आज तक जो वाक्यात सामने आये हैं उनसे यह भी पता लगता है कि उस समय के माइरेट मिनिस्टर हाइकोर टैरोरिस्ट और क्रिमिनल को अपनी कारों में बैठकर फिराते थे।

SHRI DIPEN GHOSH: In last year's Presidential Address, you had appreciated. Mr. Barnala himself was present in the gallery. (Interruptions)

श्री बूटा सिंह : दीपेन बाबू, हम आज भी उसकी सराहना करते हैं ... (व्यवधान) ... हम आज भी उसकी सराहना करते हैं। जिस तरह बात की सराहना की गई थी वह यह थी कि उस वक्त के मुख्यमंत्री बरनाला साहब

ने राजनैतिक निर्णय को प्रीस्ट के सामने जाने से रोका था। उसकी हम आज भी सराहना करते हैं। मगर साथ ही जब उनके नोटिस में यह लाया गया कि बहुत से प्रभावी लोग, उनकी सरकार के मंत्री, विधायक इत्यादि उनकी सहायता कर रहे हैं तो उस वक्त वे परिस्थिति को धाबू नहीं कर पाये जिसके कारण उस सरकार को जाना पड़ा। आज भी हालत यही है। अभी जो बात अरोरा साहब ने की है वे लोग अभी तक कोई दृष्टिकोण आतंकवाद के बारे में नहीं दे पाये हैं। किस तरह की उन्होंने कंडीशंस रखी हैं? हम तो चाहते हैं, और प्राइम मिनिस्टर साहब ने एक बार नहीं अनेक बार कहा है कि कॉन्स्टिड्यूशन में जो विश्वास करे और जन-जीवन में हिंसा से दूर रहे उनके साथ हम बातचीत करने के लिये तैयार हैं। उसके अन्तर्गत यहां जो कार्य हुआ है मैं सदन को यह कहना चाहूंगा कि सरकार की तरफ से आतंकवादी ... (व्यवधान) ...

श्री सुकोमल सेन : यह जैन मुनि कौन हैं ?

श्री बूटा सिंह : जैन मुनि जैन मुनि हैं। ... (व्यवधान) ...

श्री सुकोमल सेन : इनके उपर क्या जिम्मेदारी सौंपी गयी थी ? ... (व्यवधान) ...

श्री बूटा सिंह : जैन मुनि, मुशील मुनि जो ... (व्यवधान) ... ये हमारे देश के बड़े प्रतिष्ठित मुनि हैं और उनके बारे में पूरा देश जानता है। उनकी कोशिशें और उनके प्रयास सफल हुए हैं। हम तो चाहते हैं कि और ज्यादा सफलता उनको मिले और उसमें तो हम सब को मिलकर उनका साथ देना चाहिए। यदि आप भी कोई मुनि दार्जिलिंग के लिये ढूँढ़ लें ... (व्यवधान)

श्री बूटा सिंह : आपको मिला है इन्द्रजीत, वह आपका मुनि है। उधर इन्द्रजीत साहब आपको मिल गये हैं। ... (व्यवधान) ...

श्री विश्वजित पृथ्वीजित सिंह : ये जो जैन मुनि की बात कर रहे हैं ये खुद नारद मुनि हैं।

SHRI PARVATHANENI UPENDRA:  
No. No (Interruptions) Sir, at least 'munis are succeeding where politicians and Ministers are failing. (Interruptions)

श्री बूटा सिंह : मुनि सारे अच्छे होते हैं। हमारे देश में ऋषि और मुनि इनका स्थान बहुत ऊँचा रहा। ... (व्यवधान) ...

श्री दीपेन घोष : उनको होम मिनिस्टर बना दीजिये।

श्री बूटा सिंह : एक बड़ा अच्छा कार्य हुआ है जिसकी सराहना सब वर्ग के लोगों ने की है। मैं उम्मीद करता हूँ कि भारत सरकार की तरफ से जो प्रयास हुआ है, जो एक मौका दिया गया है उससे हमें इसमें सफलता मिलेगी। मैं माननीय सदस्यों से यह कहना चाहूंगा कि भारत सरकार की नीति स्पष्ट है। हम चाहते हैं कि जो लोग पंजाब में शांति और व्यवस्था कायम करना चाहते हैं चाहे वह किसी भी धर्म के हों हम उनका साथ देने के लिये तैयार हैं और भारत के संविधान के अन्तर्गत हिंसा को दूर रखकर पंजाब की परिस्थिति में जो भी सुधार करना चाहते हैं हम उनका स्वागत करते हैं। मगर साथ ही साथ मैं यह वार्निंग देना चाहता हूँ कि यह किसी भी कीमत पर यहां आतंकवाद को या फिरकापस्ती को नहीं पनपने देगे चाहे उसके लिए हमें सख्त से सख्त कदम उठाने पड़े। यह जो मैंने इमरजेसी का उल्लेख किया है यह बहुत ही कठिन काम होगा। मैं प्रार्थना करना चाहता हूँ कि ऐसा कदम हमें न उठाना पड़े मगर जरूरत पड़ेगी तो हम उससे भी पीछे नहीं रहेंगे सख्त से सख्त कदम उठा कर हम इस देश को विभाजित करने वालों

[श्री बूटा सिंह:]

हमारे मासूम लोगों की हत्या करने वाले हत्यारों को हम अपने देश की धरती पर नहीं रहने देंगे। इन शब्दों के साथ मुझे पूरा विश्वास है कि मुझे सदन का पूरा विश्वास मिलेगा।

श्री गुलाम रसूल मट्टू : शिव सेना ..

श्री बूटा सिंह : यह जो मट्टू साहब ने कहा किसी दल के लिए कि उन्होंने ऐसे भाव व्यक्त किये हैं मैं उसकी निन्दा करता हूँ। चाहे कोई भी व्यक्ति हो या संगठन हो हमारे देश के प्रति लोगों के प्रति चाहे किसी भी सम्प्रदाय के लोग हों सारे जितने भी सम्प्रदाय हमारे यहां हैं सब रह सकते हैं उनके बारे में जो भी ऐसे विचार रखते हैं हम उनके खिलाफ सख्त कार्यवाही करेंगे।

#### ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT AND OTHER BUSINESS

THE VICE-CHAIRMAN (DR. BAPU KALDATE): I have to inform Members that the Business Advisory Committee at its meeting held today, the 7th March, 1988, allotted three days for discussion on the Railway Budget for 1988-89.

The Committee recommended that the House should sit up to 6. 00 p. m. daily and beyond 6. 00 p. m. as and when necessary, for the transaction of Government Business.

The House now stands adjourned till 11 A. M. tomorrow, Tuesday.

The House then adjourned at Seventeen minutes past five of the clock till eleven of the clock on Tuesday, the 8th March, 1988.