

the pesticides se^e were absolutely-useless and the spraying done on cotton was not eff :ctive. The concerned agencies are under the Government. The result of if was that th_e disease with which the cotton crop was affected could not ie eliminated and the crop could not be protected and the •net result i_s t at the farmer has suffered very b idly. Apart from thi"* general maladj —this is, not with regard to the cotton crop only, but is also with regard to the other crops—, the fertilizer is adulterated. It is either adulterated or it is no fertilizer at all. But wl hav_e to pay heavily for this and huge amounts are invested. Th_e fertilizers are used for increasing the yield. But the result is that the qualit; of the crop keeps on going down. ' he farmer has suffered very badly and he has had double suffering bee; use he has suffered monetarily anc he is having mental anguish. Now, in these circumstances it i_s the bounden duty of the Government to have an inquiry into this because seeds ar-: distributed to the farmers. There is an agency responsible for taking and distributing seeds. If something h- s gone wrong with the agency, by now they should have an inquiry to find out why this bungling has taken plaer The quality of the fertilisers should also have been checked and, above all, of the pesticides that havt been supplied to the farmers. The farmer is not to be blamed. (*Timi Bell tings*)

I want to make another important mention regarding this point that an inquiry be instituted immediately regarding all these things and also the farmer who his suffered as a result of the default of the Government or a Department of the Government or th_e officials snould be properly and adequately compensated, as I have heard they aie being compensated similarly in Punjab. There should be no discrination between one State and anc ;her State. If the farmers are bein* compensated in Pun-Jab, they should also b_e similarly

compensated here also. It i_s the bounden duty of the Government.

श्री उपसभापति : सदन की कार्यवाही
2.30 बजे तक के लिए स्थगित की जाती है।

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

The House re-assembled after lunch at thirty-three minutes past two of the clock.

The Vice-Chairman (Dr. (Shrimati) Najma Heptulla) i_n the Chair.

RESOLUTION RE. FINDING SOLUTIONS TO THE PROBLEMS IN THE STATES OF PUNJARS, HARYANA AND ASSAM

THE VTCE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): We will take up the Private Members' Resolution. Shri Dinesh Goswami.

SHRi DINESH GOSWAMI- (Assam): Madam, I move the following Resolution:

"Having regard to th_e serious unrest prevailing in many parts of the country especially in Punjab, Haryana and Assam which is the result of Government's attitude to the problems of the people of these areas and to the policies pursued by it to further certain narrow considerations at the cost of national interest, this House urges upon Government to rise above the aforesaid considerations and mak_e sincere and earnest efforts to solve the problems of the people of these areas and for that purpose take the following steps immediately:-

(i) restore communal harmony in Punjab and Haryana by finding acceptable solution to the religious and other demands of the people of the area;

(ii) dismiss the Ministry m Haryana and restore law and order in that State and in Punjab;

[Shri Dinesh Goswami]

(iii) dismiss the Ministry in Assam; and

(iv) restart negotiations to arrive at a just solution of the foreign nationals' problem in Assam."

Madam, before I make my submission on the Resolution, I want to point out that in the Bulletins, that were issued on February 25, 1984,—Nos. 28153 and 28154—my Resolution which I gave was slightly different from it. There are some words which have been omitted in this Resolution. My Resolution was as under.

"Having regard to the serious unrest prevailing in many parts of the country especially in Punjab, Haryana and Assam which is the result of Government's attitude to the problems of the people of these areas and to the policies of 'divide and rule' pursued by it....."

I do not know why those words "divide and rule" do not find a place in the ultimate Resolution which I have been asked to move. I do not know what rule of the Rules of Procedure I have infringed that these particular words have been omitted. Of course, I am not going to make an issue out of it knowing fully well that only two and a half hours are before me for pursuing this Resolution. But, I thought that it will be proper for me to bring on record that these words which were there in the original Resolution submitted and also notified in the Bulletin and which ought to have found place in the Resolution which is there in today's order paper have been omitted.

Madam, with that preliminary submission, I want to point out that today many parts of this country, particularly the North-Eastern zone, Punjab and Haryana, as well as Kashmir are in an atmosphere of tension, an atmosphere of mistrust, and a lot

of killings have taken place in the Northern region about which this House has expressed deep anxiety and concern during the last few days. And this has been our firm view that this country today is being ruled by the Government and the bureaucracy inheriting the colonial type of spirit with which this country was ruled before independence. What is the colonial attitude of rule? Colonial attitude is primarily to subjugate, all people by show of force. When that subjugation of people by show of force does not help the ruling party or the ruling administration, then they try to divide the people and rule. And also they try to rule by encouraging and aiding those segments of the population at the cost of other populations which help to perpetuate the regime. The fourth element of colonial administration is to exploit the natural resources and deny the people of their rightful share. This was the type of attitude with which the British ruled this country. And today we feel that the same attitude is prevailing in many parts of this country, particularly in the Northern Eastern region and in Assam. And that is why communalism and casteism are raising their ugly heads, that is why the regional parties and regional forces are coming up in different parts of this country to reassert their regional identity and self-respect. I remember Madam, that I had the privilege of being a Member of the other House for six long years from 1971 to 1977 and during that period, times without number, on different economic resolutions and policies, I pleaded with the Government "and also with my friends on this side for more bridges over the Brahmaputra, and we had to go in for mass movements in Assam to have a refinery. We are pleading and pleading today that the natural resources, particularly the gas should not be burnt but utilised. We asked for a fair share of employment in the State and public sector undertakings. We asked for a fair share of the earn-

ings of the natural resources. We asked for improved communication system. And the reply we used to get is that all these demands are chauvanistic in nature, we are narrowminded, we are parochial. But, today, when the foreigners problem rocked the State of Assam; when there was an agitation, there was an admission on the part of the Government that this region has not been fairly treated since independence. But when we made serious demands in the non-violent manner, all the time, these demands were thrown out on the ground that we are chauvanistic in nature. When we asked for a broad-gauge line to Gauhati—and the wonder is that the capital of Assam which links the entire North-Eastern region even today is without a broad-gauge communication—funds could not be earmarked on the ground that the funds were not available. But today we see lip sympathy on the ground that serious efforts are being made for economic development because the region has really been denied its rightful share. The main problem today before the North-Eastern region is the problem of the foreign nationals which has rocked this country for the last four years. The Government admits that it is a national problem. This Parliament has admitted that the problem is a serious problem which should be tackled. The Government admits that the foreigners' problem is a genuine problem. And the admission of the Government is borne out by the statistics which I have referred to the House times without number, and I do not want to refer to them again. It has been admitted even in the Government document as early as in 1962 that more than 33 lakhs of unaccounted persons came from the then East Pakistan to West Bengal, Assam and Tripura. That is itself revealed in the census study of the figures of East Pakistan and with the Census figures of India, which it was found that where were the foreigners of almost, 33 lakhs from the normal bio-

logical growth in East Pakistan and there was an increase of 34 lakhs of population in the normal biological growth of these regions. Unfortunately, in spite of repeated number of negotiations the talks did not really materialise in success. The point that I am trying to make is that, do you require an agitation in a country to identify foreigners? This point has not been answered by the Government of India up till now. A foreigner, who is a foreigner under the law and the Constitution, is to be identified and it is the constitutional and legal and moral obligation on the part of the Government. The second question is what do we do with a person after he is identified as a foreigner, whether we grant him citizenship, whether we allow him the right to stay here, whether we allow him the right to stay here with full rights as an Indian citizen, whether we allow him to stay here with limited rights, denying him the right of franchise, whether we allow him to stay and deport him to other regions? These are all questions which may require consideration but the prime fact is that a foreigner must be identified. It is the constitutional, legal and moral obligation of any Government in power. But, do you require four years long agitation to compel a Government to identify a foreigner? I do not understand. Supposing the talks with the students and the movement leaders have failed. Is the identification of a foreigner dependent on negotiations with students and movement leaders? Identification of a foreigner is the bounden duty of the Government. I can understand that for humanitarian considerations for constitutional compulsions, for political reasons, we may decide to deal with different kinds of foreigners in different ways. I can understand that the Government could take, up the position, we are not prepared to deport them, they have been here for long, let us give them full rights. I can understand having nego-

Lohri Dinesh Goswami.] tations to that limited aspect. But suppose there are one lakh oi foreigners. What do we do? The movement leaders may take the position, deport them. The Government may take the position,* no, we have got humanitarian considerations and other commitments, we wiH not deport them. That may be the subject-matter of negotiations. Still I have completely failed to understand as to how the identification of a foreigner is dependent on an agreement. . Are you going to follow the same type of practice in Jammu and Kashmir or in other sensitive areas? Now, unfortunately, that is a point which the Government of India have up till now not answered to the people of Assam and even to us and we wait for an answer. There was a commitment, a solemn commitment given in this House and in the other House, that elections would not be imposed on the people of Assam till the foreigners' problem is solved. But unfortunately what do we see? We see that an election was imposed on the ground of constitutional compulsion.

Madam, I was personally associated in the negotiations when this question of constitutional compulsion was taken up in the month of January 1983. The Government of India decided to introduce a Bill in the other House as well as in this House in terms that if an election i_n Assam within March is not possible and ag the President's rule cannot be extended beyond one year, there should be a constitutional amendment taking Assam out of the pur- view of that constitutional provision. I was asked to participate in a discussion in which the other leaders of opposition were participating. I was asked, what is my view? I said, I am opposed.' I feel that as I did not get an opportunity to express all these things earlier because of paucity of time, I think it is necessary now to put on record the entire happenings and the facts as to what happened actually. Then the Government derided to bring a Resolution. The opposition parties support was called

for because the Government did not have the two-thirds majority in this House and being a representative from

Assam I was asked to participate in that discussion. When I was asked whether I wiH support such a constitutional amendment, I made it clear point blank that if a particular constitutional provision is not made applicable in case of Assam for all times to come, we will oppose it because that wiH be something very Strang?. But if the Government of India feels that election is not possible within March 1983 and we feel that it is not possible and the Government wantg to suspend that provision for six months or one year, I am in agreement and virtually the entire Opposition agreed to that proposition. In fact, I was asked to get the opinion of the All-Assam Students Union as to what will be their reaction to this proposal, and I think I can today give out a secret in saying that Mr. Biswa Goswami was authorised by All-Assam Students Union to communicate to the Government of India that the All-Assam Students Union was agreeable to such a Constitutional amendment, because Of the peculiar political situation in the State. That was the position of the Government of India in January 1983 that election in Assam Was not possible. The Opposition parties agreed to suport, except that the BJP and the Janata Party which took up the position that because talks were to be resumed after one week, instead of bringing an amendment one week before which wiH give an impression that the talks are bound fail, let us bring the amendment after one week, either in the regular Budget Session in February 1983 or by a special session . But unfortunately what we found was that an election was imposed. I do not want to go irrtto the detail?; as to what haorjened during the elections because that ha<* become a dferk part of the history of this country. I do not think there is any countrj in the world where according to Government's admission, 3500 people were killed—and according to

our estimation more than 7000 people were killed. _to fulfil a so-called Constitutional obligation. If a Constitutional obligation results in the death of 3500 people then there is something inherently wrong either in the Constitution or with the party in power and the Government which is running the Constitution. Is the Constitution meant for the people or are the people meant for the Constitution? Three thousand five hundred people are to be killed because of a Constitutional obligation, I do not understand.

And then, what is the role of the authorities? Let us take the role of the Chief Election Commissioner. The Chief Election Commissioner wrote to the Law Ministry and to the Home Ministry and it is on record, that the atmosphere in Assam is not conducive for elections. To quote his word: "The situation is not ideal." When I met him, along with Mr. Robin Kakati, he said, "no," because the State Government has assured that it can carry out the elections and I have no alternative but to continue with elections because I am bound by the report given by the State Administration." That was totally violative of the Constitutional provision which confers full powers upon the Chief Election Commissioner to decide in all matters relating to elections, which has been adjudicated by the highest court of the land, the Supreme Court of India. If the Chief Election Commissioner would have taken up the same position earlier, I could have understood. But the Chief Election Commissioner, when the question of Kashmir elections came up, took a completely different stand. In case of Kashmir, the Chief Secretary of Kashmir assured the Chief Election Commissioner that a free and fair poll was possible. But the Chief Election Commissioner did not, at that point of time, accept the report of the Chief Secretary of Jammu and Kashmir and did not take into the position that he is bound by whatever report comes from the State Government. The Chief Election Commissioner, as the agent, sent the Home Secretary, Mr. Chatur-

vedi, to Kashmir. May I know under what authority? If he had the authority to send Mr. Chaturvedi to Kashmir to enquire as to whether the report given by the Chief Secretary of Jammu and Kashmir was right or wrong, he had the same authority also to send his observer to Assam to find out whether the situation really was conducive for elections and to take steps if the situation was not conducive. There was no change of law between the elections that took place in Assam and those that took place in Jammu and Kashmir. And this is the precise point I am making. If it serves the purpose of the ruling party, it can function in a particular manner. Here it served the ruling party's purpose to have elections in Assam, and therefore anything that the Chief Secretary of Assam says is a gospel truth which the Chief Election Commissioner must obey.

But it did not serve the purpose of the ruling party in Jammu and Kashmir. Therefore, a different position has been taken. The Chief Election Commissioner is not bound by what the Chief Secretary of Jammu and Kashmir says. But he can depute his own independent observer and the Chief Election Commissioner says that he has to do it because it was an effective instrument to allay the fears of the Opposition. Is it not a fact that the Opposition parties, the Janata Party, the Bharatiya Janata Party, the Lok Dal and we, the independent Members, expressed the fear that in Assam, there will be a holocaust if elections take place? Why did not the Chief Election Commissioner have the same effective instrument to allay the fears of the Opposition? Well, in the case of Assam, the Chief Election Commissioner behaves like the three monkeys, speak no evil, hear no evil and see no evil. But there is a difference in the case of Jammu and Kashmir. And this is the precise spirit on which I have brought this Resolution, because, today, the national interests being identified with the interests of the ruling party, if it serves the ruling party to have elec-

[Shri Dinesh Goswami.] tions eve_n at the cost of 10,000 people, they will have it; but, if it does not serve the ruling party, they will not have it. They will go on postponing the elections. We have seen how elections were postponed in Delhi and in several others parts of the country.

Unfortunately, the situation in Assam today is sought to be run on a policy of divide and rule. There is a conscious effort on the part of the Government to divide the people and rule the State. We have seen, Madam, the dangerous consequences of the policy of divide and rule during the British rHile. The scourge of (communalism, we have not been able to eradicate even after 35 years. Unfortunately, the same Government says to day that the State of Assam is smiling today and that everything is normal. Who is smiling. Ar_e the family members of the seven thousand people who died during the holocaust of last year smiling? Are the students of Assam who have fought for the last four year_s for a justifiable cause smiling today? Are ^e people, who feel that their culture, their existence, is being jeopardised by this inflow, this massive inflow, of foreigners, smiling today? If the situation is normal, then, why is it that the State has not acceded to, the demand of the Chief Election Commissioner? The Chief Election Commissioner wrote to the State of Assam that they want to have a revision of the electoral rolls. Thi_s is because, leaving aside the auestion of foreigners, the current electoral list is that of 1979. Lakhs of eligible voters, who have now attained the age of 21 and who were <iot 21 in 1979; their name_s are to be included in the voters' list. The names, of those who had either left Assam or who died are to be excluded. Equally, the name,[?] of foreigners or those persons who. unde_r the Constitution, ar_e not eligible to become voters, are to be dele+ed. The Chief Election Commissioner wrote to the State that elections, after all. are coming; that Par-

liamentary elections at any event are coming latest by the early part of next year and, therefore, we should have a revision of the electoral list. The reply of the State is that the situation in Assam is not conducive for this, for a summary revision even not to speak of full revision. The situation i_s normal for everything else, but it is no normal for the purpose of the revision of the electoral rolls. This is a total exercise in hypocrisy. The situation is not normal for this revision because, this revision wiH not help the ruling party and that is why, at all costs, the revision i_s sought today to be frustrated. The State, unfortunately, is sought to be ruled by a show of force. And may I point out at this stage that even in the evidence given before the Tiwari Commission—which we have boycotted because" we have asked for a judicial enquiry into the holocaust in Assam—from this side, it has* been stated that the student community in Assam and the movement leaders are guilty of this holocaust? We have said, we are prepared to face a judicial enquiry. Let there be an impartial judicial enquiry and whatever is the verdict given by tMs judicial enquiry, we will face it. Tf the verdict is given that the people of Assam, that the leaders and youth are guilty, we wiH bow down. We have said that we are prepared to face any consequences and the Government can impose the maximum and the most serious punishment. But the Govem-ment does not have the moral courage to institute a Judicial enquiry into the happenings i_n Assam. Judicial enauiries are instituted even when one person dies in a police firing but in the case of Assam where more than 3 500 Deople are killed according to ^hc Governments own admission no judicial enquirv was ordered. Tn fact, the denial or the refusal on th^ part of the Assam Government or the Central Govrnment to order a judicial enquirv leaves us to this conclusive fact that this Government fa afraid of holding the judicial enquiry because the findings of the judicial enquiry

will make the ace of this Government black. Therefore, they have refused to have judicial enquiry. What is the evidence given by some of the important persons during the administrative enquiry. I have before me the daily 'The Telegraph' of 21st February, 1984, and let me, with your permission, quote a few pertinent observations:

'Gauhati, Feb. 20; In this deposition before the Tewari Commission set up by the Assam Government to inquire into the large-scale violence which shook the state during the Assembly election, early last year Mr. Karuna Barooah, secretary, personnel, in the state government has come up with some devastating revelations."

I am not quoting the whole.

"Mr. Barooah, who was the deputy commissioner of Sibsagar district during the elections has made a serious indictment of the police, certain senior bureaucrats and the senior adviser to the governor during President Mr. R. V. Subramaniam. Mr Barooah has pointed out that contrary to normal procedure, the deputy commissioner was generally bypassed both by the administration and the police". I am leaving some portions.

"In order to substantiate his charge, Mr. Barooah has given concrete evidence of some of these unnecessarily provocative decisions. The most callous was the police firing in Rajabari to a state in Sibsagar district immediately after the elections in which seven tribal youths were killed. He pointed out that even 12 hours after the incident, the deputy commissioner and the sub-divisional officer of the district were not informed of the events. Mr. Barooah had ordered an enquiry to find out whether the firing was justified, but had to drop it at the orders of the government."

The deputy commissioner asked for an enquiry because according to him

the firing was not justified but then this enquiry is stopped by the Government. What further proof do you want to substantiate that this Government was acting in a manner which belies all description. Then the concluding part of his report says, I quote;

"The situation reports filed by the police at that time have also been questioned by the former deputy commissioner of Sibsagar. According to him, the situation reports were often cryptic and what is more important, 'tried mainly to justify police action."

And even today I will ask if this Government has any sense of moral values to institute a judicial enquiry.

We have also drawn the attention of this Government to the heinous manner in which police has treated the persons in educational institutions in Assam. The Dean of the Veterinary College of Assam Agricultural University was roped and scalped. The wife of a professor was beaten up and every newspaper in this country, even the paper which is totally opposed to the Assam movement, has expressed serious concern. The Home Ministry assured us that they will enquire and let us know their own finding, but we have not heard anything from them.

Madam, I have received a letter day before yesterday. The letter is addressed to the Deputy Commissioner, Sibsagar, with a copy to the Union Home Minister. This letter is sent by the head of the Department of Education, J. Kanji H. N. S. College, Sibsagar. I would like to quote a few words from this letter;

"Please excuse me for taking this privilege of writing to you, I regard your honour as preserver of peace, justice and social relations and also the promoter of all sorts of integration among the people. In this context I beg to draw your kind attention to an incident during one of your subordinate police

[Shri Dinesh Goswami]

officers in the name of keeping law and
 order.

I was arrested on the night of 2nd February 1984 from my bed while I was sleeping. I do not have anything to be complained for the arrest as I know that law would take its own course. But, Sir, what pained me much was the most inhuman behaviour shown by the officer in charge of Gaurisagar P.S.

I was tied up with a strong rope inside his office. I was compelled to put off my warm clothes and to kneel down and stand up taking turns by my own hand. It is not possible on my part to express the slang words used by him. He threatened me to mix beef with my meal and to use my sacred thread to tie his cows as he came to know that I came from a Goswami family.

Sir, I am a college teacher, I never preach violence though I support the government recognised non-violent movement since its beginning." should I be so tortured 3.00 P.M.

tured for using my democratic
 right? Or should my

religion be so humiliated? I do not want to quote further. This is the latest letter which I received day before yesterday. This is one of the hundreds of letters that I have received. And this type of treatment is going on in hundreds of places in Assam. We drew point blank the attention of the Government to what had happened in the Veterinary complex and also in other places. You do not have the guts at least to say what we have complained of is wrong, or to admit what is wrong and say that you will deal with those persons who have treated them like this. Even during the worst days of British rule such treatment was never expected. Unfortunately today we find that what did not happen even during the imperialist regime is taking place.

(Time Bell rings) Madam, as you have rung bell, I will take only ten minutes more.

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): You have already taken half an hour.

SHRI DINESH GOSWAMI. Half-an-hour is by my own right. I will take another ten minutes.

I do not want to go into the question of Punjab. But let us face facts. It is the case of the Government of India and the Government of Assam « that the situation in Assam is normal. The Home Ministry told this House that negotiations will be restarted the moment the situation is normal. If it is normal. ..

SHRI DHARNIDHAR BASUMATARI (Assam): Yes, it is, no negotiations.

SHRI DINESH GOSWAMI: Mr. Basumatari is not unfortunately the Home Minister. The case of the Home Ministry is that negotiations should be restarted as soon as it is normal. This is the statement of the Home Minister. Now the case of the Government throughout has been that there can be no negotiations in an atmosphere of violence. May I know whether there is an atmosphere of violence in Punjab or not? Or in Assam today there is an atmosphere of violence? Or in Assam there is an atmosphere of violence whereas there is an atmosphere of absolute normalcy in Punjab? The Akalis were called to the negotiating table at a time when innocent people's blood was being split. I am not opposed to negotiations. What I am saying is that this Government which talks in terms of not submitting to pressure tactics and of resuming negotiations only in an atmosphere of normalcy did not restart negotiations in Assam even though there is 'normalcy' there but restarted negotiations on Punjab because there is violence. Why did you do so? Because you are afraid of the consequences of Mhatre's killing and because the violence in Punjab

and Haryana a forced your hands. This is the duplicity and hypocrisy of this Government -. They want a situation to be created in Assam which is almost alike to Punjab. Only then the negotiation will be restarted. What message are you giving to the people of Assam? What message are you giving to the students of Assam and to the youth of Assam? All right if you want to have negotiations, you do not restart negotiations in an atmosphere of peace, but when a situation like that in Punjab and Haryana is created, only then you will call for negotiations. So who is encouraging violence? It is the Government which is encouraging violence by its own activities. The Government is talking in terms of duplicity.

Madam, I feel that the last six months were the most opportune moment to restart negotiations and to arrive at a solution on the foreigners problem. I will beg of the Home Ministry, whatever may be the reports of the situation, on the ground I have deep connections at least with the youths and people of Assam and this is my confirmed view that if the negotiations are not restarted on the Assam issue and a just solution is not arrived at, the whole North-Eastern Region may erupt again into flames, if not today, tomorrow. This is an extremely complex region over which the international forces have deep eyes. There are secessionist forces at work. You should be cautious. On the one hand you say that the doors are open for negotiations and negotiations will be started if there is an atmosphere of normalcy but when there is an atmosphere of normalcy you do not call for negotiations but you would call for negotiations only when you find that the atmosphere is going out of your hands. That is why I am saying, Madam, that it is the duplicity of this Government which hurts us, which is hurting the national interest. That is why I am saying that this Government is going in a manner in which

1800 RS

they are putting their own party interest above national interest.

I do not want to go into Punjab and Haryana. But the feeling is gaining ground that even in the Punjab situation the problem is not being tackled in a proper manner because again the electoral prospects are high in the air. May I quote one of the most eminent journalists, Mr. Pran Chopra? What had he to say in the Indian Express of January 21, 1984- I quote:—

"Mrs. Gandhi used this situation.—", the Punjab situation—"with superb cynicism and opportunism in the interest of the party (never mind the interest of the country) to serving all Punjabi Hindus behind her and to present herself - to the Hindus of northern India as their only salvation."

This is the feeling that is growing which, I consider, is extremely dangerous.

It is the same situation in Kashmir. Mr. Farooq Abdullah is sought to be depicted as the greatest villain of the peace and anti-national. He was the greatest patriot some time back when he used to convert for the ruling party. Has he changed his colour? Or, does the colour of an individual change according to his decision whether he will support the ruling party or whether he will support the opposition parties? Then, his past is sought to be unearthed—and by whom? By those very persons against whom the gravest allegations have come out in the latest issue of 'Tandil Today'. I do not want to go into all these, but what I am trying to point out is, whether it is in north-eastern India or northern India or in Jammu and Kashmir, somehow or other, we have not been able to rise against our own party interest to solve these issues in the national interest. I would submit, Madam Vice-Chairman, I do not like to take much of the time of other hon. Members.

{Shri Dinesh Goswami]

Again I see many of my friends of this party, the Home Minister and the Prime Minister accusing the regional parties. Well, I can understand that encouragement of regional parties is against national interest; maybe, I do not know. If it is true, you keep yourself away from regional parties. But, when the ruling party itself joins hands with my friends of the AI-ADMK, it is not against national interests. And when the ruling party joins hands with even the Tripura Upajati Samiti in Tripura, it is not against national interests.

SHRI DIPEN GHOSH (West Bengal): And Gorkha League in West Bengal.

SHRI DINESH GOSWAMI: If they join hands with the Gorkha League in West Bengal, it is not against national interests.

SHRI K MOHANAN (Kerala): They joined 13 different parties in Kerala.

SHRI DINESH GOSWAMI: Even if they join 13 parties in Kerala it is not against national interests. But, if a regional party opposes the ruling party at the Centre then the regional party becomes anti-national and it is against the interests of this country. "There is a complete dichotomy between what the Government is preaching and what it is practising.

Why are the problems not being solved? Why are the appeals of Parliament not being responded to by people of this country? It is because they believe that there is a total dichotomy between what we preach and what we practise. And it is precisely this that has made me to bring forth this Resolution.

Madam, recently there was an election in one of the autonomous districts—Karbi Anglong. In that election, the prime issue was that of corruption. The District Council, for which the election was held, used to purchase buckets—can you imagine?—at the rate of Rs. 129 per bucket.

SHRI HAREKRUSHNA MALLICK (Orissa): Were they golden buckets?

SHRI DINESH GOSWAMI: I don't know; maybe golden buckets. Hurricane lanterns were used to be purchased at the rate of Rs. 60 or Rs. 65. We talk of preserving the forest wealth. There, just before the election, in order to get money for the electoral process, forty thousand trees were demolished and cut and contracts were given to contractors. In the District Council election, in spite of the fact that all the wealth and all the Ministers went for the help of the election, out of the 25 seats, only nine seats came to a party which had the support of the ruling party. Well, I thought that the Government of India ought to have immediately taken steps to see whether these allegations of corruption were correct and remedy the situation. But what happened? Immediately there was defection by purchasing power of those persons who were elected.

Therefore, Madam, what I am trying to point out is that nobody denies that the country is in the midst of a grave crisis. I believe that to meet this crisis we should rise above party politics and see it in better light. It is therefore that I have given this operative part of my Resolution; Let us restore communal harmony in Punjab and Haryana by finding acceptable solution to religious and other demands of the people of the area. And it is possible. For example, about Chandigarh I do not understand—I have never taken part in the discussion on Punjab—and it has always struck me as very odd, and I have not been able to reconcile to it how for the Chief Minister and the Cabinet Ministers of Punjab and for the Chief Minister and the Cabinet Ministers of Haryana, law and order problem is not a problem of that Government but a problem of the Chief Administrator of Chandigarh. Has there been any parallel in the history of any country of the world where law and order and security of a Ministry is not the

concern but the concern of somebody else. Can you imagine such a situation? But we do not try to solve it.

My next contention—and I know it will be hotly debated—is that if you have thought it proper to dismiss the Government in Punjab because they failed to tackle the law and order problem there, at least dismiss the Ministry in Haryana because Mr. Bhajan Lal's word will carry weight with nobody. A government which has come into power by mass defection, if it talks in terms of morality or national integrity, who is going to listen? Dismiss that Ministry and impose the President's Rule. Dismiss the Ministry in Assam.

And why last fervent appeal—this may be my last appeal because this may be my last major speech, but I have made it with all sincerity at my command knowing the inflammatory situation which is there in Assam and in the neighbouring areas, down ground, knowing full well the deep anguish under which the youths of Assam and today reeling—is to restore negotiations on the Assam issue and find just and equitable solution because I believe just and equitable solution which will prove to be just for the nation is possible if negotiations are restarted. Otherwise, something may happen as it has happened in Punjab where you know that article 25 has been brought in; a new element by the Sikhs. 'Something may happen. Time is an essential factor because new elements may come up because there are so many forces. Whatever is possible and reasonable today may not be possible and reasonable to achieve tomorrow. Therefore, my last fervent appeal to the Government—and I hope they will respond to it—is to start the negotiations to arrive at a just solution on the foreign nationals problems in Assam.

Madam, I am extremely thankful to you for giving me this time. I hope

the Members who will be participating in the debate will do so in the spirit in which I have tried to move this Resolution.

The question was proposed

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): Madam Vice-Chairperson I rise to Oppose this ill-conceived, ill-worded and ill-timed Resolution. I have highest regard for the hon. Member who has moved this Resolution. I listened to him with great patience because, as he said, this would be one of the last major speeches he would be making. He has been, and he is, an able orator in this House, but this time the reason and the rationale seem to have deserted him and he has not been able to overcome the feeling of leaving this House. And, therefore, his reason has been blinded. The various things which he has said tend rather to stoke the fires of regionalism and communalism at a time when we are making all efforts (*Interruptions*)

SHRI DINESH GOSWAMI: Mr. Bhandare, you accuse me of anything but not.....

SHRI MURLIDHAR CHANDRAKANT BHANDARE: to turn those fires into cinders and the cinders into ashes.

THE VICE-CHAIRMAN (ER-SHRIMATI) NAJMA HEPTULLA: You will have your right to reply.'

SHRI DINESH GOSWAMI: I not interrupting: I am only asking indulgence. Let him accuse me of anything, but not that my rational has failed because I am leaving this House. That is a very uncharitable remark which. I believe, he should not make because in politics we do these things in stride. (*Interruption?*)'

AN. HON MEMBER: It is he who said it (*Interruptions*)

SHRI DINESH GOSWAMI. I am not excited. (Interruptions)

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): He does not need your defending.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: When I rise to speak and oppose his Resolution, the hon. Member will at least bear me out that I do not want to hurt him. But I did feel it honestly that there was little reason and rationale. That it should have connected. It is my mistake for which I express my genuine regrets to the hon. Member. But I still maintain that his Resolution is ill-timed, and it tends to stoke the fires of communalism and regionalism at a time when the effort of one and all in this House or outside would be to see that this fire turns into cinders and the cinders turn into ash and the fire is put out.

He has made three violent and irrational allegations against the Government. He has said, "This Government is running its administration through its bureaucrats like a colonial administration. And what is its policy? The policy is three-pronged: First is crush. Well, if you do not succeed in crushing, then divide and rule". And the last one which really does not flow out of the two but he mentioned it was "to deny and deprive the fruits to that region so that they come down begging."

Now I want to examine each one of these factors and then go on to the other things which the hon. Member has referred to in his speech.

Coming to the problem of crushing, I think the all-round allegation against the Government has been that in regard to certain agitation in Punjab it has not crushed the agitation which it ought to have. The allegation against the Government has been that it has drifted. Now I cannot understand how on the one hand you

make an allegation of drift and on the other hand you can accuse that the Government is crushing. I think the only logical conclusion out of these inconsistent arguments is that neither is true and that the Government is really following what its duty is, to take a democratic attitude, to take an attitude of tolerance, to allow the things to resolve by themselves and not take a tough attitude of crushing anything which some people may not like or the Government also may not approve of. I am going to deal with this at length.

But now let me deal with the second aspect. The second is divide and rule. Who has divided and who has ruled? I ask my friend: How has the problem come up in Assam? Assam is a fertile land, Madam, where, they say, crop grows on the feet of the people who walk in Assam. And yet with that fertility, the natives of Assam cannot get people from outside to work for them in their fields (Interruptions)

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): Dr. Saheb, will you please let him speak?

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: My hon. friend would not be there unless he speaks. Though he is a doctor, he has no cure for what he does in this House. In fact, when I retire from the House or he retires—he is retiring earlier—some of the things I will note are the interruptions of my hon. friend and hon. Member, Dr. Mallick, to my various speeches.

THE MINISTER OF AGRICULTURE (RAO BIRENDRA SINGH): So, you are encouraging them to interrupt.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I am neither crushing nor dividing and ruling.

One knows how the things have been, and I do not want to go at length on the Assam question because there are members more knowledgeable with the problems of Assam, who are to follow me and who will deal with this question properly. But it is a self-created problem. And when you find that it comes to a stage when it smarts hitting them, the Assamese agitators do not want to solve it in a reasonable way. They do not want to solve it in a democratic way. They have taken the path of agitation. I know when I came what was the situation. The hon. Member, Mr. Goswami, talked about refineries. So far as I know, when I became a Member here, the refinery was there but the whole thing was stopped because there was blockade of the refinery by the Assamese agitators. I have had occasion to visit Dibrugarh and I still remember that a doctor working in the dispensary there was killed and in the killing frenzy, even children of 10 to 12 years of age participated. That is why I said, please, please, do not stir these feedings any more. It is not in the interest of Assam and it is certainly not in the interest of India. They chose a path which is not permitted by the Constitution. I remember, under what great strain the refineries had to be opened. I remember what great effort had to be made to normalise the life in Assam—I also know—this, of course, a Reference would be made by the speakers to follow what happened at the negotiating table. What happened was that when almost everything was agreed, nobody wanted to settle the issue. This is what is happening even in Punjab today. When the bharas have come to a clinching stage, when nothing remains to be discussed except signing the dotted line, people go away and they say, "We are not agreeable". Nobody wants to take this responsibility for it. He was talking about negotiations. I remember—the hon. Home Minister will make his position clear—Mr.

Venkataraman was then the Home Minister—and things had almost come to a closing stage when they, the agitators, went back.

SHRI JASWANT SINGH (Rajasthan): Madam Vice-Chairman, will you allow me just a minute? As a matter of fact and for the factual record, I had the distinction and the privilege of being part of the tripartite discussions. The assertions being made now by the hon. Member, Mr. Bhandare, are not factually correct. It would be incorrect to say that the leaders of the movement went back on any kind of assurance given when that a stage had been reached wherein issues were being clinched by the efforts of Mr. Venkataraman or anyone else. This is the factual position. As far as other things are concerned, by all means let him express them in whatever way he may like, but as far as the factual position is concerned, this is the fact. Thank you.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Well, that would be dealt with. It is all relative as to what is "clinching". I would feel, as an optimist, as a hopeful person, as a rational person, it was within the clinching distance. May be at the behest of my hon. friend's advice, the minds of the agitators, of the youth leaders, changed. I do not know. At that time I had met him and the hon. Member himself had told me, "Well, we are almost reaching a solution". I consider my friend, the hon. Member Mr. Jaswant Singh, as an authority on Assam because he is one who keeps himself in constant touch with Assam. Whether things are normal or abnormal, he goes and tours in Assam. Therefore, I look upon him for some guidance. Even at that time this is the impression that I got, unless he now wants to tell me that the impression which I got from him is wrong. I do not depend merely on what I get from my party or the Government because when it becomes a national issue, it becomes the pri-

(.Shri Murlidhar Chandrakant Bhandare].

mary duty of a Member to find out what the view of the other side is. Therefore, that is the impression that I got. I am sorry I misunderstood the hon. Member (*Interruptions*)

SHRI DHARANIDHAR BASUMATARI: Madam, when the mover said all kinds of things, we did not say anything nor did we interrupt him from our side. Why should they do that. When Shri Bhandari has spoken only on his own, not by using words as Mr. Goswami did, why do allow these persons to interrupt

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Interruptions always disclose a certain nervousness on the part of the Members and, therefore, I always welcome and field..'

SHRI DINESH GOSWAMI: Are you suggesting that Mr. Basumatari also is nervous?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: It is a differ-

SHRI R. MOHANARANGAM (Tamil Nadu): May I send for Dr. Mallick?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Let me come to point. The next point which has been mentioned by the honourable member of the resolution is about the problem of foreign nationals. That is a very relative term. And talked of migration. He talked 33 lakhs. May I tell him something about my own home-city where I was born a city where I was brought up, a city where I was educated, a city where I practise, a city where I live to die? What is the position of the city of Bombay? Bombay had a population of two million in 1947. Today we are reaching ten million—one core—on that small strip of island. We have people coming from Assam; We have people coming from Bengal;

and Assam

I remember even as a school student my neighbours were Bengalis on the top floor and next to me—very pleasant memories of the beauty and the music of Bengal. We have people from Kerala. We have from Santa Cruz an able MLA who is one Mr. Uma Chand coming from Kerala, and today he has become a part of Bombay. We have people from Gujarat, from Rajasthan, from Punjab, from Delhi, Haryana, Tamil Nadu and Andhra Pradesh. There is not one place in India which has not sent people to Bombay. And yet, I say it as a matter of pride that we have done everything within our power to curb secessionist, parochial, forces like the Shiv Sena in Bombay and we have been proud that Bombay...

SHRI DINESH GOSWAMI: May I say just one thing? I am only wanting to correct him. I am not speaking of migration from the rest of this country. That migration we have never questioned. I am talking about the migration from across the borders of India.

THE VICE-CHAIRMAN [DR. (SHRIMATI) NAJMA HEPTULLA]: Please don't interrupt him otherwise, he will take more time and there will be less speakers.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: All these interruptions should be outside my time, Madam;

I was saying that in spite of all these, we are happy and we feel that the fundamental right which is conferred under Article 19(1) (d) on every citizen to settle down in any part of the country is very true. He talks of foreign nationals. There again I must tell him about my State; There is no border of Maharashtra, where there is such a large influx whether it is Kolhapur coming from Belgaum and other places, whether it is Chandrapur coming from Madhya Pradesh—and it is amazing that the prices in Chandrapur today are higher than the prices in Bombay, and we have never grum-

Diea; we hve accepted all these people. Apart rom that, you are making a very tech lical thing about it. They were ali Beigalig „ho came to Assam YQU invited them in the first instanse. You welcomed them. You made them work for you. And suddenly you put it, well, tley are foreign nationals This phenomenon of migration is s° frightening that you will find that in the year 2P00 A.D. millions of Asians will be narching into Europe and migrating to Europe because there would not be enough land, with the present population explosion, for them in Asia and they will be marching and migrating o Europe, Therefore, do not talk awut thesₑ things. This is very wrong, We are all of one stock. But I cannot say that they are foreigners. Thos*- people who havₑ come thirty years before have become a part of that place and the children born to th >m are all citizens of India and I hop j the honourable Member knows the provisions of the Constitution and t! e provisions of the Citizenship Act. Their children and their grandchildren who are citizens of India, you can turn out. All right. You turn them out. But it bscomes a human problem and it does not become a Constitutional problem and it does, not become a legal problem.

SHRI DHARNIDHAR BASUMATARI: Yt,

SHRI MURLIDHAR CHANDRAKANT BHANDARE. Madam, he spoke »f the Constitution and asked whether the consti ution is for men or the men are for the Constitution. I am asking the same question now. When it becomes a rtuman problem, you will have to s live it in a humane way. You may say, "All right. We wiH take a ba'on and drivₑ out every one who is a foreigner according to us." But that certainly cannot be done. Eveji duiing the Bangladesh war it was not lone. It wa₉ not done even during tt e Bangladesh war when .10 million refugees. came and occupied

our land here and you know wha price our country had to pay. I do fID want to say anything more. But tha was only possible because of th astute statesmanship and leadershi] of Mrs. Gandhi. Therefore, as a fuS step, we say, "All right. We will iden tify the Post—1971 foreign national** so that the people who have lived f» a lesser period can be sent away aai they can be denied civil rights -anti some such thing can be done. Bu even then the honourable Membe opposed the Bill for setting up tribu nals for the identification of foreig nationals which clearly shows tha these people do not see reason an* they do not want to solve the problejj-but they want to aggravate the pm blem and they want to keep the fir burning. Therefore, Madam, it j really a matter of regret that he men tioned that there was a decrease of \$ lakhs in Bangladesh and 34 lakhs cam over to Assam. I think even- now lx should try to co-operate with the; Tribunals in identifying the forelgruei so far as the post-1971 period is con cerned and try to solve the prohfa somewhat.

Then, Madam, the honourable Men ber made a reference to the discni sions with the students and the agtti tion leaders or the movement leadei as he put it. Now, what happen₃ i whenever we grant demands, it is a acknowledged. In the case of t] religious demands of the Akalis, 2 the demands have been granted] the Government. In fact, the Prlr Minister went to the extent of goh to a gurdwara and announcing in 1! holy precincts of the gurdwara Ii all the religious demands were bel conc=ded. What was the objectiv Not to the concession, but to the foi of the concession, to the place of i concession, to the congregation wh< th*, concession was made. They sa "Why don't you call us and give the credit by saying that because u₃ only these religious demands hs been granted?". Either you fight a thing which you must get or fi]

for the credit that you got the thing. It is precisely because of this. Madam, that when those religious demands were conceded, well, nobody was prepared to give the credit to the Government and the credit was not given, and what is true of the Akalis is equally true of the agitators.

Now, Madam, the honourable Member has referred to Punjab, Haryana and Assam. I do not know why significantly he has omitted to refer to Jammu and Kashmir.

SHRI JASWANT SINGH: He did refer.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Not in his Resolution. That is why I say that it is ill-worded and that is why I say that it is mischievous. I did not expect this from the honourable Member, to be partisan in this matter. I know that he has also gone and I have seen his pictures in the various conclaves and I saw his pictures prominently. And you know what is happening in Kashmir today. Why don't you include 'Kashmir'? You know what is happening. One of the sons of Bombay and this country has been murdered in London. You have not gone and you have not seen the tears of the mother of Mr. Mhatre, but I have seen. You talk of the tears in Assam but you don't talk of the tears of a mother in Bombay? And you do not refer to this because it suits you. (Interruptions) And you say that when you see this Opposition—then DMK, Anna Hazare or Telugu Desam whenever they have come, . . . (Interruptions) I will come to the process of regionalism in a minute (Interruptions)—then they have come because of popular mandate—we know we have to live with regional parties; it is a part of democracy. . . . (Interruption) will come to your democratic processes in a minute. This is another case of extreme nervousness. (Interruptions) So I feel sorry for him for

not referring to the secessionist forces and anti-Indian forces which are at work in Jammu and Kashmir. Whether it is DMK, or it is AIDMK, or it is Telugu Desam or it is something else, they have not displayed any anti-Indian feelings they have not displayed any secessionist tendencies and they do not encourage these forces. But what is happening in Kashmir? What is Dr. Farooq Abdullah doing, with whom you join hands? Two flags were stitched together and a common flag came—red and green; you must have seen the picture. Why did Dr. Farooq Abdullah abandon what Sheikh Saheb refused to do for 50 years? (Interruptions). There was no peace in Jammu and Kashmir between Sheikh and... (Interruptions) Within ten minutes, just to get elected... (Interruptions) With these secessionist forces who are now saying that Maqbool Butt is a martyr and that Kashmir will produce thousands of such martyrs, you join hands, and today the predicament of Dr. Farooq Abdullah is how he will arrest his double Farooq, Mir, Maulvi Farooq, who is spearheading the secessionist element in Kashmir. This is the tragedy.

DR. RAFIQ ZAKARIA (Maharashtra)
: Pro-Pakistan.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Yes. No doubt about it. (Interruption) I hope there is some medicine for nervousness.

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): There is.

SHRI GULAM* MOHI-UD-DIN SHAWL (Jammu and Kashmir): We are prepared for a full-dress debate on this, but they have no patience to hear... (Interruptions)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I am referring to the exclusion. (Interruptions) This exclusion of Kashmir is very, very significant. This is not a Resolution

really to find o it the solution. This is not a Resolution really to help the House to discuss objectively, dispassionately the things which are happening around us, or which can be expressed with utmost anguish and with no rancour. And, therefore, I wish that the hon. Member had desisted from using this expression in the Resolution: "... which is the result of Government's attitude to the problems of the people of these areas and to the policies pursued by it to further certain narrow considerations

at the cost of national interest _____ "

Now, I must tell you that if there is one party which has at all times promoted national sentiments, which on all occasions has stood by the unfailing and abiding faith in secularism, it is Congress (I); and I am proud to be here. (Interruptions) In fact, I must say that it was the Prime Minister, Mrs. Jindal, who introduced an amendment in the Preamble "of the Constitution to include the words "secular and social". Whatever else may be said, but we have never cashed on communal feelings. We will go out of power. We will live in oblivion. We will sacrifice everything that we have. But we will not give up our secular creed. We will not encourage the divisive forces and the secessionist forces in this country. To that extent, I must express my strong resentment and disapproval to this part of the Resolution.

"Then, what is the difficulty? There is one difficulty - and that is that the Congress has a great culture of tolerance. It has even a mass movement. (Time Bell rings) I will take another ten minutes, it remained so these years. In fact tolerance is an essential ingredient of any democratic process. Not to lose patience and to be tolerant is a faith. That is why, when they speak, so far as I go, I never interrupt because I believe that the real democratic way of life is to listen patiently and with respect to things. With us, which we do not agree. (Interruptions)

SHRI GULAM MOHI-UD-DIN SHAWL: There is no limit of time. It is for us.

SHRI R. RAMAKRISHNAN (Tamil Nadu): Because of the importance of this Resolution, I suggest that this can be carried forward.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I endorse the suggestion and proceed to speak. So, all these suggestions which have been made really are not at all charitable. It is true that there were happenings during the Assam election which could have been avoided. I do not want to go into that again. It has been debated and I leave it to him. Instead of participating in the elections, they boycotted the elections and created an atmosphere of violence. One important feature to which I must draw the attention of the House is that after the restoration of the democratic process and installation of a Ministry after elections, the things really have changed in Assam. It is most important and I am referring to it because of the latter part of the Resolution, the directives which he has brought in under this Resolution. I have visited Assam twice and whatever reservations I may have, I know that the only way to solve any problem is to stick to the democratic process. To that extent I think—history will show that—that it was an error to put the "democratic government of Sardar Sarbajit Singh" out of power. That is the feeling I got after seeing what has happened in Assam. Things are really normal. People's grievances are being heeded to and removed. Mr. Saikia, the Chief Minister, is really doing a wonderful job which we could not have imagined even in our dreams. Of course, their grievance about the foreign nationals issue will remain. It is no use saying now and repeating it. We know that certain regions have remained backward. North-eastern region is one such region. When everybody gets 50,

[Shri Murlidhar Chandrakant Bhandare] Kashmir Valley is getting 150 from the Central Government. We are conscious of it and there is a conscious effort to see that there is an integrated development. But that is not to say that the restoration of democracy in Assam has not achieved its objective.

About regionalism, one word. The regional forces have come up because of one single factor. And that is the failure of the Opposition to unite. Because the people in this country, the citizens of this country do not have any alternative to look to, these regional parties and these regional tendencies are coming to the surface. And I lay a fair and square blame on the entire Opposition in this country of not uniting but, if I may use the expression of the hon. Member, Mr. Goswami, of trying to divide and get into power. But they are not going to succeed because it is only a strong party, a strong party like the Congress which can keep the country united and not divide it as the Opposition parties do. Therefore, I do not subscribe to this directive—dismiss the Ministry in Haryana and restore law and order in that State and in Punjab—of the Resolution. I would have an occasion to say something more on some other occasion. Same is true about the demand for the dismissal of the Ministry in Assam because if any Ministry has to be continued, any Ministry that should be continued, "it is Mr. Saikia's Ministry in Assam, not Farooq Abdullah's. (Interruptions) Then, the last one he says is, restart negotiations to arrive at just solution of the foreign nationals' problem in Assam. Our Government's doors are open for negotiations. And I am quite sure that Mr. Goswami will forget his rancour, will rise above his prejudices against the ruling party and bring all the parties.

SHRI DINESH GOSWAMI: I have no rancour.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I am quite sure

that you are capable of that effort. You have that weight, you have that respect, you have that image with the Government that your word will be heeded to.

SHRI DINESH GOSWAMI: You accuse me of prejudice but not of rancour.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Madam, I do not want to be harsh, but these regional and secessionist elements are collected by the various conclaves going like a circus in different centres of the country.

Therefore, I appeal to the Members not to take a partisan view of the matters. These are the matters of great consequence. What we do and what we say in this House is going to have large and serious repercussions. We are going through a very grave and precarious condition where both the unity and the integrity of the country are at stake.

AN. HON. MEMBER: Created by whom?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: But let me end by warning the House that let not history write of us that they did not act wisely, that they did not act with restraint, that they did not act with understanding, and that they did not help in restoring the process of democracy and preserving it and enriching it, and protecting the unity and promoting it, and furthering the integrity and protecting it.

With these words, I oppose the Resolution.

SHRI BISWA GOSWAMI (Assam): Madam Vice-Chairman, I rise to support this Resolution. I am sorry to say that the hon. Member from the ruling party. Mr. Bhandare, has not understood the gravity of the situation in Assam. He has equated Indian nationals with foreign nationals.

am sorry for that. For his information I would like to refer to a memorandum submitted by the Assam Congress Parliamentary Party on 19th March, 1964 to the Union Home Ministry. As in that Memorandum submitted by the Party to which he belongs, it was stated and I quote:

"Pakistan has never been friendly with India since its inception and it has its birth in the culmination of communal frenzy and hatred persistently pursued by the British rulers. There has been purposeful encouragement to Pakistani nationals for increasing the Muslim population in this State. Pakistan eventually an Islamic State with the ideology, basically different from that of ours, has been and will continue trying to include the contiguous Muslim majority areas in Pakistan under the plea of liberating Muslims even without having recourse to arms. Assam being the contiguous State of Pakistan cannot be indifferent and oblivious to this potential danger. As a precaution against this danger our military preparedness for this border is very necessary. There has been large scale infiltration of Pakistani nationals and they have been staying here illegally without being deported. Detection and deportation of these unauthorised Pakistani infiltrants is becoming a stupendous problem."

Then, Madam, I would like to refer to the population growth rate in Assam as compared to that of the rest of the country. In 1951, the population growth rate in Assam was 34.97 per cent whereas the all-India average was 21.6 per cent. In 1971 also the population growth rate in Assam was 34.95 per cent whereas the all-India average was 24.6 per cent. So, today to say, to minimise the problem that has been faced by the people of Assam is to deny the facts of history.

Madam, I would like to quote the address of the then Chief Election Commissioner, Mr. Shakti Chandra Chatterjee. He, in a conference of the Chief Electoral Officers of the States held at Ootacamund from October 24 to 26, 1978, said as follows and quote:

"I would like to refer to the alarming situation in some States especially in the North-Eastern region where from disturbing reports are coming regarding large scale inclusion of foreign nationals in the electoral rolls. In one case in Assam the population in 1971 recorded an increase as high as 34.98 per cent over the 1961 census. And this increase was attributed to the influx of a very large number of persons from the neighbouring countries. The influx has become a regular feature. I think it may not be a wrong assessment to make on the basis of the increase of 34.98 per cent between the two censuses the increase that is likely to be recorded in 1991 census will be more than 100 per cent over the 1961 census. In other words, a stage would be reached when the State may have to reckon with foreign nationals who may probably constitute a sizeable percentage, if not the majority of the population of the State"

So, whatever my friend may say, the problem of foreign nationals in Assam, in the North-Eastern region is a serious problem and the people of that State have been agitating for long period of 4 years for detection, deletion of names from voters list and deportation of the foreign nationals. I will not go into details as to what happened. I would like to say that initiative of the Opposition parties, tripartite talks were held; the Ravindra Varma formula was being discussed at these tripartite talks and practically, an agreement was about to be reached when both the sides the Government and the movement leaders, wanted time to study that formula. And anybody could cast

[Shri Biswa Goswami] At th_e last tripartite talks when the parties reassembled, without discussing the Ravindra Varcna formula, a new formula was suggested by the hon. Home Minister which was rejected by the movement leaders. On th_e basis of Ravindra Varma formula, an accord wa_s about to be reaches when the new formula was put forward and, the hon. Home Minister out a typed paper from his< pocket announcing that the talk_s had failed and immediately afte_r that, the election was declared against the will of the people of that State. What that e'lection was, everybody knows. A holocaust followed. Thousands of people were killed and all the police, military and para-military forces posted there were engaged against the peaceful picketeers and th_e foreec, were not engaged to protect the life and the property of the people affected by these clashes. A_s a result, thousands of peopl_e lost their lives. And all of us know what happened afte_r the elections. A candidate got just 23S votes and h_e has been elected; now he is a Minister. He i_s now terrorising the people with the police, going to his constituency arid beating up people anywhere he goes. And he secured only 236 votes in one constituency. Madam you wiH be surprised to hear, in Paneri constituency, two days after th_e election was over, there was a clash and some people took shelter in a tea estate. Policeman went there two days after the • elections along with the ballot boxes and asked the people who had taken Befuge there, whether the_v had cast their votes. Anyone who had not cast a vote, was asked to do go then and ther? two days after the elections had heen aver, on the threat that if they dii not d_o so, they wiH not °e given lbe ration o_r accommodation in the refugee camps. This is what happened two day_s after the election was over, and this way, vote_e were collected. There were mobile polMnjr booths in Gauhati, in one booth anybody anJ everybody who went there were allowed to vote. All these things are known. And anybody could cast

a vote in that polling booth, ihis was the way election was held in Assam, and the hpa. Member from the other side says that we should hold elections in order to preserve democratic traditions, ap if, holding of . elections under aiyy circumstances is the only criterion for preserving democratic traditions. it has been said that Saikia Ministry has taken great care^m bringing peace in

Assam. It i_s not true. It is 4 P.M. not du_e to the efforts of

Saikia Ministry that peace has heen restored in Assam. It is because that the people ther_e are for peace. It is because of the fact that the movement leader_s suspended their movement. Everybody ,ealise_s that no ,good wiH com_e through violent methods. This is the reason. It is nut due to the effort_s of the Saikia Ministry, this illegal Ministry. What is thi^ Ministry doing in Assam? They are confined in Dispur. They do not dare t_o com_e out °f their seclusion. Anr* whenever they come out, they come out with police force. Police ar? terrorising th_e pe°P^{le} like anything. Madam, in thi_s conection, I would like to refe_r to what happens whenever the Prime Minis<ter pay_s a visit to Assam. Now-a-days,, she i_s visiting Assam fre. quently and naturally a bandh ig observed whenever she goes. Therefore, the people do not eom_e to her meetings. What d_o they do? Police stations are asked to bring people from the villages. Each police station is given ;■ quota and the police officers gc with busesi to collect people from the villages. Whomsoever they find, the:' collect and bring to the meetings of the Prime Minister. During the last visit of the Prime Minister to Gauhati, when she went to inaugurate, when she went to lay the foundation stone for the new capital, 525 buses were employed. So much popular ig the Saikia Ministry. (Time-belt ring^ Madam, I wil] request for so>m_e more time. This is what is happenings. What do they do? There are pro-Mrs. Gandhi-visit arrests, throughout the State. If Mrs! Gandhi is to visit Assam, Jhvty policy station will be given a quota.

that they should arrest so much number of people. Throughout the State, this quota is to be fulfilled. The police, men arrest anybody and everybody. About the police atrocities the Agricultural University, on the Dean of Faculty of Art, Agricultural University and the wife of a professor; mention has already been made. Not only that. In the Gargaon College in Sibsagar district, in Mr. Saikia's constituency, the professors had to free humiliation at the hands of the police (ne professor, Mr. Nath, was brought to the police station and he was slapped by the police officer. These things are happening. Now, the reign of terror is continuing in the State of Assam. There is only one activity. There is only one point programme, namely, arrest and assault. There is no twenty-point programme. This is what is being done. Whosoever is arrested, is assaulted. If he is a young man, a student, he is severely assaulted inside the lock-up. Hundreds of young men are mangled for life because, the Police apply third degree method on them. Under what law this is done, I do not know. This is going on in the State of Assam. They want from these people confession that they exploded a bomb in a particular place. and so on and if they do not say so, they will be tortured brutally. These brutalities are being committed practically daily in Assam. The entire State is under section 144. No meeting can be held. Even the [recognised all India parties cannot hold their meeting- Very often, permission is refused.

(The Vice-Chairman (Shri Syed Rahmat Ali in the Chair)

Sir, the hon Member from the ruling party says that Mr. Saikia is performing a commendable job. has done a commendable job in restoring normalcy. But what had Mr. Saikia Ministry reported in regard to revision of electoral rolls in Assam? It is the Saikia Ministry, which has reported to the Chief Election Commissioner that the situation in Assam was, not conducive for the revision of electoral

rolls. On the one hand, it is said

that normalcy has been restored. On the other hand, it has been said, the Government says, that the revision is not possible because the situation is not conducive. It is only because of the arrogant attitude on the part of the Central Government that the Saikia Ministry has been kept in power. This Ministry has not done any developmental work. Corruption has increased by leaps and bounds. They are not bothered to carry out the developmental works. On the contrary, he is engaged for one more thing. Everywhere he is laying foundation stones. He has laid the foundation stone in many places for this or that project. He has unveiled a statue of Chilarai, a great hero of Assam. He has also laid the foundation stone of a Court building. But after the ceremony is over the next day the foundation plates are removed back by the Government. This tamasha is going on. The Government has passed the Act for determination and deportation of illegal migrants. This Act has made it a fait accompli, it has declared by implication that those who came before 25th March, 1971, will be considered as citizens. Indirectly, it has been said so. So where is the scope for discussion? This Government never cared to solve the problem through discussion. Why did they not care? It is because their party interest is served by this. How? If the people are divided, if the division persists there the ruling party can derive some benefit because as you know in Assam Congress pretends to be the saviour of the minorities, in Punjab they are the saviour of the Hindus, and in Kashmir they are the saviour of the Hindus. They are observing this double standard. In Assam they are the protectors of the minorities and that is their vote bank. So, they do not want, to disturb that vote bank there. This Act which has been passed for constituting of tribunals will not solve the problem. It has been said in the House. Address that the tribunals have started functioning. That is not correct. No tribunal has started func-

[Shri Biswa Goswami]

tioning. Even all the tribunals are not constituted. The judges are sitting idle because there is no detection no case nothing of the sort. I do not think that the guidelines and the rule under this Act have been formulated by now. So the Government is not at all serious to solve this problem. Similarly in Punjab and Haryana also they are following the same policy which they followed the same. As you know, in Assam AMSU was created. By whom was it created? It was created under the direct inspiration from the Government. One AMSU leader went to a Muslim advocate at Gauhati and asked for his help to set up their office at Gauhati. When he asked why they wanted to have their office at Gauhati, he said that our Home Minister has said that AMSU also should have an office at Gauhati. This is what one respectable Muslim advocate has told me. I mentioned about this before the then Home Minister in the House also. At the time of election the ruling party leaders, Ghani Khan Chaudhri and others, tried to instigate the people for violence. They instigated. There were proofs. Taperecord was brought but it was not allowed to be played in the House. So, everything is known to us. It is they who instigated the holocaust in Assam. Similarly in Punjab also they want to create a similar situation. Today the situation in Punjab is very grave but the Government is not concerned. They are not concerned if innocent lives are lost. They want to follow the same policy that they followed in Assam. So this is what the Government is doing. Although the accused the Opposition parties, it is actually the ruling party which is dividing the people of this country. The regional forces have not at all come up due to the failure of the Opposition parties as one Hon. Member said. These regional forces have come up due to the failure of the Government and the Centre, to fulfil the 'genuine regional aspirations' of the people. India is a union of States. It is not a unitary State. It must not be forgotten that

India is a union of States. The area of those States were demarcated on the basis of language and cultural identities. This plural character of the Indian nationality must be maintained at all costs. The identities of these sub-nationalities of these linguistic and cultural sub-nationalities must be maintained at all costs. There is regional disparity. Attention is not given to the far corner of the North-Eastern region. We had to launch a movement for a bridge over Brahmaputra. We were told by the then Prime Minister: "Where are the engineers and steel to build a bridge over Brahmaputra?". So when we raised this demand we were told that there was no engineer and steel. But when the movement was launched afterwards, that bridge was constructed. So the problems of that area have been neglected continuously. Even today they are neglecting that area. We were told that a Cabinet Sub-Committee had been formed for the development of the North-Eastern region. I do not think any meeting of that Sub-Committee has ever taken place. What is going on? They did nothing; no activity except laying the foundation stone of the new capital. So these regional forces have come due to the apathetic attitude of the Central Government to the legitimate demands of the region concerned.

We are a federal country. Our Constitution is federal one. Today there is an attempt to undermine the federal character of the Constitution. Every thing is decided in Delhi. If you do that, there is bound to be resentment in different regions. India cannot be kept united if there is domination from the Centre. Only if we recognise on equal footing the identities of the different States and try to preserve these identities then and that alone will India's unity be preserved.

It was said at the time of the passage of the Internal Migrants (Determination by Tribunals) Bill that the door for negotiations were open. But when? I want to know from the Home Minister-

ter whether they are willing to talk, whether they want to defuse the situation in the State, whether they want the situation in Assam to ease

Sir again, a meeting was convened by the Chief Election Commission of the national parties. I also attended that meeting. In that meeting it was agreed on the suggestion of the national parties that at 1971 voters' list should be taken as the basis for revision of electoral rolls in Assam. It was agreed by the Chief Election Commissioner. I do not know what reply has come from the State Government. I want to know from the hon. Home Minister what the attitude of the Government of India is. (Interruptions) Unless you take steps for revision of electoral rolls, elections are coming, whether mid-term or at any rate in 1985 unless emergency is imposed. Unless elections are given the go-by, elections will have to be held again in 1985. Then how will you hold the election unless the electoral rolls are revised. In Assam, electoral rolls have not been revised since 1979. So before a concrete proposal given by the national parties and it was accepted by the Chief Election Commissioner I want to know what is the attitude of the Government to this proposal of the Chief Election Commissioner.

Lastly I want to say that the problems in Assam and in Punjab all these problems should be solved through dialogue, through negotiations. We should not think that we will be able to crush the people. You tried, unimaginatively, to crush the Assamese people but thereby you created another extremist section. You wanted to create another Nagaland in Assam. That is a wrong policy an unimaginative policy. All you are trying the same divide-and-rule policy in Punjab. I would advise you that you should start negotiations with the movement leaders in Assam for the permanent solution of the foreign nationals issue and also resolve the issue

of legitimate demands of the Akali Dal of Punjab through negotiations.

With these words, Sir, I support this Resolution.

SHRI BAHARUL ISLAM (Assam): Mr. Vice-Chairman, Sir, I am afraid I will have to repeat some of my old submissions that I made on the floor of this House, and I have some constraints to oppose some of the submissions made by Mr. Dinesh Goswami and Mr. Biswa Goswami, both of whom have been and still are among the best of my young friends

It was a very good tradition in Assam that all communities were living as brothers. Although we are a very backward State, we had some very sterling virtues also. Up till now there has been no untouchability in Assam, there has been no dowry system in Assam. All these things are not existing there. Even when I was a Member of Parliament have in the sixties, it may be news to this House that I was staying for two years, with one Mr. Rajen Barua, who was an Assamese Brahmin, taking common food with him. For another two years I was staying with Mr. Emonstang Sangma, who was a tribal Christian, having common food with him. Even though we are in different parties—Mr. Biswa Goswami is in Janata—he is like my younger brother. Then Mr. Robin Kakati is also there whom I regard, till today, as my elder brother. Mr. Dinesh Goswami will testify that I have got very good connections with the student community all through my career. Even when Mr. Dinesh Goswami was a law student I used to attend their functions and debates and I used to act as a judge. Mr. Dinesh Goswami was one of the topmost debaters in Assam and I am glad to see that he is maintaining the same spirit today also.

What I am trying to point out is that whether it is in personal life or party life or social life, unless and until we correctly analyse a problem,

[Shri Baharul Islam]

that problem can never be solved. Or, if our analysis is wrong, then the result will be disastrous; if the application of a remedy is wrong then also the result will be disastrous. Take, *SOT* example, backwardness Mr. Dinesh Goswami made some submissions with regard to the backwardness of the State of Assam I entirely agree with him that not only Assam but the entire north-eastern region is backward. Sir, possibly you may not know, I have visited some of the very interior areas of Arunachal Pradesh. Mr. Prem Thungon was here; now he is not here¹. There are some people yet ...

AN HON. MEMBER: He is there.

SHRI BAHARUL ISLAM.- All right. He is there. I have visited some of the areas and I have found that there are some people who are practically naked; they have not seen the light of the modern age. Such areas are there. But for all these things we cannot lay the blame only the present Government. Our history is partly responsible; our earlier British Government was responsible partly our system of earlier

Government was partly responsible. Sir Assam was never under the rule of the Mughals or the Muslims. We had our own administrative system. We had our own educational system; we had our own indigenous system. We came under the British rule in 1826, by which time other parts of India viz. Bombay, Calcutta Madras were far ahead of Assam and therefore, we were not able to capture any service under the British Government. We were economically backward, we were educationally backward. And we are paying a price for that even today. We cannot say that our present Government is negligent towards the eastern region. On the contrary, I can say with all force at my command that the present Government right from Shri Jawaharlal Nehru's days has been conscious about

cms region. For example, in Assam, during Nehruji's time, we got the Brahmaputra bridge.

Mr. Bhandare who spoke earlier has himself admitted that Assam is a backward area. Mr. Biswa Goswami has cited some figures telling us as to how the population of Assam increased. I do not challenge him. He is right. But what was the cause? who invited them? Our own government in Assam at that time, before Independence, invited these people to Assam; for cultivation and other purposes; they provided cheap labour and so they came. They came during the British time. Till Independence, they came; after Partition, they came; and even after the liberation of East Bengal, they were coming in hordes. Therefore the population has increased. And for this we cannot lay the blame on the Government of today our national Government. Why and how did they come has to be examined. What is the solution has to be found out. There has been a lot of misconception on the question of these foreigners. As I understand it there are technical foreigners and real foreigners. For example, nobody from Assam ever spoke of foreigners till the Janata regime, in 1978 or 1979, when Shri Golan Borbora was the Chief Minister of Assam. He happened to be a personal friend of mine. A perfectly socialist man. But at that time the bogey of foreigners was raised. Now it is the law of nature that if you commit a mistake—personal mistake or political mistake or a social mistake—you are bound to suffer, *mens rea* in necessary in criminal law. There is no *mens rea* in law of nature. If you put your finger in fire; whether you are the Chairman of the Rajya Sabha or you are a Judge of the Supreme Court, your finger will be burnt. If a child puts his finger in the fire, it will be burnt. Therefore, if our predecessors in Assam had committed some mistakes we, the successors, their children, are bound to suffer. If the Parents are TB patients or leprosy

patients, the children will not be healthy. The children of rickety parents will be c .ckety. The children of healthy parents are likely to be healthy, the children of very intelligent parents are likely to be intelligent — I am speaking of tendencies, not universally. This is the law of nature. Therefore we are suffering. But it is in our hand how to control the situation and to find a solution. It is possible for us. God has given us that much of intelligence, and for that purpose we must analyse the problem correctly.

Sir, I have said that these people from East Bengal of that time, later on East Pakistan and still later on Bangladesh, used to come to Assam. They were coming, possibly they are still coming, some of them. As you know, foreigners have been defined till before the coming of the Citizenship Act, under the Constitution of India, and after the coming into force of the Citizenship Act, they have been defined in the Citizenship Act. But those people who came to Assam after the Independence of the country and still after the commencement of the Constitution, if they were not citizens in accordance with the definition of the constitution, they had to obtain their Citizenship under the Citizenship Act. But most of these people were so ignorant, so illiterate, that they did not at all know that citizenship had to be obtained. If they did not obtain it that way, then technically a large number of people remain as foreigners. "Technically" I am saying.

But what can be done with them is one of the great test problems. As Mr. Ajit Sharma said yesterday, at one time, I was dealing with some of these leaders of the AASTJ movement. They were a set of lively, young, intelligent people. But I got the inference that unfortunately here were elements who were not in favour of having any solution at all at any time. And

1800 RS

then ultimately I had to give up my attempt out of frustration. It was not possible for me.

Shri Ajit Sharma said yesterday that I had said that 1961 should be treated as cut-off year. I do not remember if ever I mentioned that year. What I told them, I can still maintain because as a lawyer, as a Judge, I was very conscious that the people who had migrated from East Pakistan between the 26th of January, 1950, the coming into force of the Constitution, and March 1971 during which Bangladesh came into existence, were the citizens of East Pakistan. And under the international law a foreigner can be deported only to the country of his origin. Now in the eyes of the international law East Pakistan is non-existent. Bangladesh is not politically identical with East Pakistan. Bangladesh came into existence by fighting with Pakistan and getting itself established by revolution. Therefore, the so-called foreigners who are in Assam but have not obtained Indian citizenship cannot be deported to Bangladesh. I was very conscious of that. Therefore, what I suggested, I can still maintain. There will be no difficulty. And I was very glad to see that even the Prime Minister had made the announcement, "Let us start with effect from March, 1971." That was possible because with effect from that time Bangladesh came into existence, if there were foreigners coming from Bangladesh to Assam, these people can be deported, but other people cannot be deported because there is no East Pakistan. So, that problem has to be solved by negotiation. I find that the only way out will be to detect and deport foreigners who have migrated from Bangladesh to Assam with effect from 1971 till today because the original demand of the AASU was, as Mr. Biswa Goswami very rightly said, to maintain the identity of culture and language of the Assamese people. The fear was, if the Assamese people

were outnumbered by the foreigners, then, naturally the identity of their culture and language was in jeopardy as it has happened in Tripura. Therefore, they said that the identity of culture and language of the Assamese people must be maintained.

[Mr. Deputy Chairman in the Chair]

. That was a very good idea indeed. That was what was suggested, that is, let us detect and deport foreigners who came to Assam since 1971 till now and then see who are the other foreigners who are here. Now I think very rightly the AASU boys have agreed and said, all right, we do not quarrel with those people who came to Assam between 1950 and 1961. Therefore, the only disputed period is 1961 to 1971. Now, if we take a census of the foreigners who came between 1961 and 1971, we can find whether the number is or is not that big.

MR. DEPUTY CHAIRMAN: Please conclude now,

SHRI BAHARUL ISLAM: I am going to finish.

MR. DEPUTY CHAIRMAN: Please finish within one minute, I request you, because we have to finish the Resolution by 5-00. The Minister has to intervene and there are two or three more speakers.

SHRI BAHARUL ISLAM: I was told that it would be continued next week.

MR. DEPUTY CHAIRMAN: Now it has been agreed that it will conclude today. Mr. Minister, would you like to say something?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. VENKATASUBBAIAH): Sir, it was said that it would not be finished today...

MR. DEPUTY CHAIRMAN: I think it was a wrong impression. Now it has been agreed that we should finish it today.

SHRI P. VENKATASUBBAIAH: As you please.

MR. DEPUTY CHAIRMAN: Will you speak?

SHRI P. VENKATASUBBAIAH: Yes, I will have to speak.

SHRI GULAM MOHI-UD-DIN SHAWL: Sir, as it is an important resolution, we can sit after 5.Q.O.

MR. DEPUTY CHAIRMAN: Please conclude, Mr. Islam.

SHRI BAHARUL ISLAM: What I was saying is that if this number is not very large, they can be easily assimilated by the people of Assam. There will be no difficulty. If not, we have to find out a solution.

Now, with regard to the demand for the dismissal of the Government of Assam, there is a good deal of misunderstanding. Mr. Biswa Goswami said that in the case of one Member— he is a Minister now—he was returned by 236 votes. I was told that his opponent did not get even a single vote, because I know him personally as well as he knows him. His opponent was a CPI(M) candidate and he did not go to cast his own vote. Therefore, the other person who got 236 votes was returned. You cannot laugh at it. For that purpose, there* is no other solution except to amend the Representation of the People Act. If the people boycott the elections and if a candidate casts his own vote for himself and there is no vote on the other side, certainly he will be returned. You cannot help it. Therefore, the election was entirely legal and in accordance with the Constitution. Had it been illegal, certainly there would have been a regular petition before the High Court or the Supreme Court who are the compe-

lent authority to say whether an election was legal or illegal. Mr. Goswami also seeks the dismissal of the present Government. For that the remedy is to go to the High Court or the Supreme Court and file a *quo warranto* petition saying that this Cabinet has been instituted in violation of the Constitution of India. Certainly the Supreme Court or the High Court has the power to strike it down. That it has not been done clearly shows that the Ministry is also a legal Ministry. Therefore, you cannot dismiss the Government. Secondly, you say that the very basic idea is that you want to maintain the Assamese culture and language. The present Ministry is going to uphold that. Therefore, you cannot have any quarrel on that account.

With regard to the other point, Mr. Dinesh Goswami said that there should be negotiations. I agree with him and the Home Minister also very rightly said, "Our doors are open". Certainly the AASU boys, even though they are misled, are our boys. They are students, college students, and they are our future. We look to them for our future. If they have committed any mistake, it is our duty as elderly people to bring them to the right path. Therefore, I request the Government to hold the negotiations as early as possible. Thank you very much.

MR. DEPUTY CHAIRMAN: Mr. Shawl. You will speak for five minutes, because I had promised to give you a chance in the morning.

SHRI GULAM MOHI-UD-DIN SHAWL: Mr. Deputy Chairman, Sir, I support the Resolution moved by Mr. Dinesh Goswami. My only point is with regard to Jammu and Kashmir, although it is not in the Resolution. Of late, some sort of maligning, mud-slinging has been started by the ruling party inside and outside Parliament and some misstatements and things contrary to facts are being said. Recollect the history of Kashmir. For 22 years, the Congress was ruling the State of Jammu and Kashmir. And it is during that period that Maqbool Bhatt committed murders, arson and

looting. He was convicted under the Enemy Agents Ordinance and sentenced to death. Kindly consider this aspect that this person who was sentenced to death escapes from the Central Jail, Srinagar, during the Congress regime. Who the Chief Minister was we need not mention. But after escaping from the Central Jail, a plane at that moment was hijacked and Hashim Qureshi, his accomplice, was there to take him to the airport and the plane was hijacked. That too happened during the Congress regime. He again came to Kashmir and committed another murder. He was caught and again put in prison. But are we at fault? Have we committed any crime? Are we indeed with him? At this stage when Mr. Mhatre was murdered we felt sorry and condemned this atrocity. We are unjustly charged with links with Jammu and Kashmir Liberation Front. It is alleged that Dr. Farooq Abdullah is associated with it. Now this sort of maligning they should stop. What was the case and when was he aligning with that party? They could not mention that aspect. When Farooq Abdullah was elected unopposed, the only member so elected in 1980. He was hailed by all for being the first person to be elected unopposed to Lok Sabha. Till then it was okay. All the trouble started, this maligning started, when on 5th June he got the majority in state legislature and they could not get the mandate from the people. The elections were free. For 22 years we were put in jail, behind bars, for no fault of ours. We had not committed any crime. And during that regime there was never any free election. Free elections in the State of Jammu and Kashmir took place in 1977 under Janata and now the second time on 5th June 1983 under the Congress regime in the Centre. And it was then that in 1971 and 1972 I was imprisoned along with others, including Sheikh Sahib. At that time Parliament elections took place when we were behind bars. It is on record. I am showing you the other side of the coin without any rancour or animosity. I state facts. Much was said about Secessionist but in 1972 there was election to the state assembly. Congress had electoral alliance with Jamaat-e-Islami and five

[Shri Gulam Mohi-ud-Din Shawl]

MLAs were elected to the State legislature belonging to the Jamait-e-Islami. While we were in jail, Congress had the alliance with that party. What have we done? We have defeated Jamait-e-Islami and there is not a single person belonging to Maulvi Farooq's party in the State legislature. We have defeated them all. Now you have a league with them. And it is not me, Madam Prime Minister herself admitted this when she entered into an agreement, an accord, of 1975, that Congress had failed to deliver the goods, has failed to serve the people of Jammu and Kashmir, and brought in Sheikh Abdullah who was neither a Member of the Upper House nor a Member of the Lower House in that State. The accord was that he was elected leader of the legislature party in that State. And then you backed out. In 1977 he got the majority. Now the question is, for God's sake, who is there who is a secessionist? Maulvi Farooq! You had issued the passport to him when he went abroad. He performed the pilgrimage and went to Saudi Arabia. He went to Iraq. He went to Iran, on your passport, I mean, the Central Government passport. He then was not a secessionist! In 1977 the Prime Minister visited Mirwai's Manzil, the great mansion of Maulvi Farooq and dined with) Maulvi Farooq. At that time he was not a secessionist! He was not an enemy agent...

SHRI SYED SIBTEY RAZI (Uttai Pradesh): Sir, I am on a point of order, The learned Member is trying to give the impression that he does not have any relations with Mirwaiz and he is trying the malign the Prime Minister. He is trying to put these things on record which are not supported by any evidence. Such statements and such allegations should not be allowed to go on record. (*Interruptions*). He is trying to support a secessionist who has openly said that he does not have the Indian citizenship. (*Interruption.*!) . My point of order is that such statements should not go on record.

SHRI GULAM MOHI-UD-DIN SHAWL: There is no animosity and I am

not emotional. I am only stating the facts. Now, you are pressing me. I will tell you. It is Shri Morarji Desai who went to Mirwaiz Manzil and was there and there was singing in the Kashmiri language for his arrival and all that. (*Interruptions*).

MR. DEPUTY CHAIRMAN: Please conclude now.

SHRI GULAM MOHI-UD-DIN SHAWL: And, Sir, the present Prime Minister shook hands with Maulvi Farooq. (*Interruptions*). But that is a separate issue.

MR. DEPUTY CHAIRMAN: Please conclude now.

SHRI GULAM MOHI-UD-DIN SHAWL: I am only submitting that there is maligning at present. With this sort of maligning, what are they up to? What is the purpose behind it? Now, Sir, it is not only here. You see, the General Secretary of the Congress (I) is saying that Pakistan is going to attack Kashmir. (*Time Bell rings*). Sir, please give me one minute more. He says that Pakistan is going to attack Kashmir. (*Time-Bell rings*). Kashmir is a part of India.

MR. DEPUTY CHAIRMAN: Please conclude now.

SHRI GULAM MOHI-UD-DIN SHAWL: He says that Pakistan is going to attack Kashmir. Kashmir is a part of India. Why does he not say that Pakistan is going to attack India?

MR. DEPUTY CHAIRMAN : Now, please conclude.

SHRI GULAM MOHI-UD-DIN SHAWL: They have said that there are secessionist elements and there are processions and all that in Kashmir. But I would like to submit one thing with due respect; Who has created this Kashmir problem? We have been saying on the floor of this House.- 'Liberate Azad Kashmir which belongs to us, which belongs to India, and which is a part of Kashmir.'

The whole of Kashmir has acceded to India and so, libe ate it. You have entered into an agree -lent with Pakistan, the Simla agreemsnt, according to which the Kashmir dispute is to be settled peacefully. There are various interpretations givsn to that.

. MR. DEPUTY CHAIRMAN: Please conclude now.

SHRI GHULAM MOHI-UD-DIN SHAWL: Just oni; minute only, Sir. We hava said, the National Conference has said, that the only interpretation that is to be given to 'he Simla agreement is that Azad Kashmir must be liberated. *(Interruptions)*.

MR. DEPUTY CHAIRMAN: You hare »aid that. Please conclude now.

SHRI GUL M MOHI-UD-DIN SHAWL: Last year, Sir, I put a question to our Minister if External Affairs. I asked him what tepts he was going to taka wih regard tt the Karakoram Highway and for libertting the areas of Azad Kashmir and there was no reply. We only say, "Please see the other side of the coin.". We only say, "Do not mislead the public". You say that Punjab and Haryana are burning. But your responsibility is there. *(Interruptions)*. But you are only diverting the public mind, the public attention, and youa re misleading the public. Instead of s: ying something about Punjab and Haryana, you say that Kashmir is burning. There is nothing like that there. I had suggested during the Zero Hour that y »u should constitute a Parliamentary com nit tee and that committee should visit Kashmir and examine every inch of it and ask the people there. My friend, Mr. Sibte Razi and other MPs and Minister vere there during the elections. *(Interruptions)*.

MR. DEPUTY CHAIRMAN: Your time is over. Pleast' conclude now.

SHRI GULA A MOHI-UD-DIN SHAWL: Just one minute, please. *(Inter-ruptions)*

SHRIMATI USHA MALHOTRA (Himachal Pradesh); Sir, I am on a point of order.

MR. DEPUTY CHAIRMAN; Mr. Shawl, please sit down now.

SHRIMATI USHA MALHOTRA: Sir, I am on a point of order.

SHRI GULAM MOHI-UD-DIN SHAWL: They have no patience to see the other side of the coin.

SHRIMATI USHA MALHOTRA: Sir, I am on a point of order.

SHRI GULAM MOHI-UD-DIN SHAWL: What is thhe point or order? It have not said anything about Himachal Pradesh. *(Interruptions)*.

श्रीमती उषा मल्होत्रा : फारूख साहब ने एक पार्लियामेंटरी कमेटी को... (व्यवधान) एक मिनट सुनिये... (व्यवधान)

श्री उपसभापति : वह मिनिस्टर साहब जवाब देंगे । ... (व्यवधान)

श्रीमती उषा मल्होत्रा : पार्लियामेंट की एक 45 मेंबर्स की कमेटी है जिसने तकरीबन पूरे हिंदुस्तान का सफर कर लिया है, लेकिन फारूख साहब का जवाब था चुका है कि यह कमेटी काश्मीर नहीं आ सकती । ... (व्यवधान)

MR. DEPUTY CHAIRMAN: Mr. Shawl, please take your seat now. *(Interruptions)*, Take your seat now.

SHRI GULAM MOHI-UD-DIN? SHAWL: You had an alliance with Maulvi Farooq. *(Interruptions)*. Now there is no alliance. *(Interruptions)*. It is all done with an ulterior motive.

MR. DEPUTY CHAIRMAN; Mr. Shawl, please take your seat. I am calling the Minister to reply. Please resume y«wr seat. Yes, Mr. Minister.

SHRI i>. VENKATASUBBAIAH: Sir, the last speaker who has spoken has spoken perhaps something which is not within the purview of the Resolution that has been moved and discussed today.

SHRI GULAM MOHI-UD-DIN SHAWL: Mr. Bhandare referred to it.

SHRI P. VENKATASUBBAIAH: Mr. Goswami, a very veteran Member of this House...

MR. DEPUTY CHAIRMAN.- Take about ten minutes, please.

SHRI P. VENKATASUBBAIAH: He has moved this Resolution. Sir, with **all** humility I will say that this Resolution should not have come for discussion at this moment. As a matter of fact the Prime Minister in both Houses of Parliament has spoken categorically and made the Government stand very clear so far as the situation in Punjab and Haryana is concerned. I do not want to go into this aspect of the matter because only two days back in this very House she has spoken and made very clear the Government stand and the stand of the Congress Party. So to accuse the party in power that they are here to divide and rule and that the attitude of the present Government is worse than that of the British colonial rule is most uncharitable, and I **never** expected that coming from **-the** lips of an eminent Member like Mr. Goswami.

Sir, I will deal with the matter which has **been** mentioned in his speech. Sir, about Punjab and Haryana, I have said that the Government stand has been made clear by the Prime Minister, and about Assam, Sir, I would only say that so far as **the** Assam agitation is concerned there have been various negotiations that have **been** carried on with AASU and Jana Sangram Parishad. The Government was **very** patient and they had also many such talks with the agitation leaders, and at **one** time the Opposition leaders were also involved in the tripartite discussion and many proposals were put before the agitation leaders. 'A formula evolved by

Shri Ravindra Varma, known as the 'Ravindra Varma Formula' was also discussed, and it is a matter of history now to what extent the Government has gone in showing their willingness and readiness to solve this problem.

Sir, he has raised certain issues with regard to holding elections. He has stated, that Government has deliberately held elections in Assam, contrary to the prevailing situation there. And, Sir, holding elections is a constitutional responsibility. The Government had tried to come into a sort of agreement with the Opposition but there was no categorical assurance from the Opposition with regard to extending the President's rule in Assam. That was also at various times discussed in this House, and I do not want to go into the merits of the case now. But I may tell you, Sir, that a legal and lawfully elected Government is at the helm of affairs in Assam.

AN HON. MEMBER; A lawfully elected Government?

SHRI P. VENKATASUBBAIAH: Yes. And the situation has considerably improved. The law and order is well under control. I may tell the House that even though the resumption of agitation by AASU/AAGSP on the eve of the independence day 1983 has tended to vitiate the atmosphere somewhat, there has been widespread recognition of the notable success achieved by the State Government to restore peace and normalcy and to render relief and rehabilitation to the large number of people who had been affected by the widespread violence in the wake of the agitation. I really sympathise, Sir, and our hearts go to those people who have suffered in this agitation. I expected a word of sympathy from Mr. Goswami for those people who had been mercilessly killed. You know that some of our best officers — if I may mention Mr. Parthasarathy who was killed by a bomb blast—were killed. And I expected, Sir, that he had extended the same sympathy for them as he extended to those victims that have been killed in these violent activities. Sir, I can say that th*

present popular Ministry headed by Mr. Hiteshwar Sakia has also succeeded in stepping up the tempo of developmental activities which had suffered badly as a result of the prolonged agitation and initiated a number of measures to streamline the administration and to take it close to the people. We have been closely monitoring the situation in Assam and will continue to render maximum possible assistance to the State Government.

Sir, he mentioned about the foreigners' issue. Sir, detection and deportation of foreign nationals in Assam has been a continuing process. 3,80,693 foreign nationals were detected in Assam from 1952, to January 1983. Out of which 3,21,543 infiltrators were sent back. Foreigners' Tribunals which were set up, under the Foreigners' Tribunal Order, 1964, were in existence in Assam since October, 1964. However, the process of detection and deportation of foreigners was rather slow in the context of prolonged agitation in Assam and also because of the inadequacy of the existing machinery to deal with the problem of detection of foreigners. The need of certain modifications was felt in the scheme and another order was promulgated in 1983 by the President on 15th October. The ordinance came into force in Assam with effect from that date. The ordinance was subsequently replaced by an Act of Parliament. Sir, as the Bill was discussed in the House and the hon. Members know the importance of the clauses that were discussed, I do not want to go into that matter.

Another important decision that the Government has taken is that barbed wire fence should be constructed all along the Indo-Bangladesh border. The Assam border will be covered within 2 years and the rest in a phased manner. A 8-feet jeepable track will also be constructed along the wire fencing. Three additional battalions of Border Security Force are being raised to guard the border. The financial outlay involved in the implementation of the above measures would be about 450 crores. Efforts are being made to equip the BOLF's with searchlights and the feasibility of fitting modern electronic

devices at vulnerable points along the proposed fencing is being examined. The initial thinking was that the BRDO would undertake the construction of fencing and lateral roads along the fencing. As the BRDO has expressed their inability to undertake the work, it has since been decided to entrust it to the C.P.W.D., who have undertaken the necessary survey work. A senior officer of the rank of Joint Secretary in the Government of India has been posted as Commissioner (Border) with headquarters at Gauhati to oversee the progress of work and to co-ordinate the functioning of the various implementation schemes.

Sir, about the tribunals concerned, the Government is making all the efforts to constitute the tribunals and the Government of Assam has notified 20 tribunals under the above enactment. Each tribunal shall consist of 3 members who will be either serving or retired District Judge or Additional District Judge.

We are in the process of constituting the tribunals so as to carry on this detection programme as expeditiously as possible. We are sparing no efforts in the matter of detection of foreigners.

About the calling for negotiations with the leaders of the agitation, Mr. Goswami and some Members made certain observations. The Government stand has been made clear by the Prime Minister when she went to Gauhati and other places. So far as negotiations are concerned, the Government has made its stand clear on more than one occasion on the floor of this House and our doors are open for talks. Our mind are quite open on the subject and we have no hesitation in considering fresh pragmatic and practical proposals to solve the vexed issue of foreigners in Assam. However, the talks would be meaningful only if a congenial atmosphere prevails and all parties recognise the reality of the situation and adopt a practical and pragmatic approach. Sir, we would like the talks to be fruitful. All the people concerned, not only those people who are leading the agitation but all the people concerned in the welfare and in solving the foreigners' issue.

[Shri P. Venkatasubbaiah]

issue, have to be involved in the talks. Goernment have reiterated their stand time and again. I only request the hon. Member not to insist upon this Resolution and withdraw it in the best interest of solving the issue in Assam. Thank you.

MR. DEPUTY CHAIRMAN: Mr. Goswami, please take two or three minutes only.

SHRI DINESH GOSWAMI: Mr. Deputy Chairman, Sir, I can assure you that I will not take more than three or four minutes because I know the House is waiting eagerly to hear the reply of the hon. Prime Minister to the debate on the President's Address.

Sir, I am thankful to all the Members who have participated in the discussion on the Resolution. Mr. Bhandare who was the first person to speak from this side took an objection as to why I have excluded Kashmir while I included here Punjab and Haryana and Assam. Well, the speech made by Mr. Shawl itself proves that if I had included Jammu and Kashmir, then the arena of the debate would have gone tangentially, and the focus would have been on issues which are not relevant for the purpose for which I brought this Resolution. The hon. Home Minister has also put a word as to why I have not extended sympathy to Mr. Parthasarathy and others who suffered during the agitation. Sir, in this House, we have always condemned violence. And I am of the firm view that violence does not and has not helped the Assam movement. Those who have indulged in violence have done a disservice to the movement. And, therefore, our sympathy always goes with them. But the scope of the Resolution probably did not bring forth any particular expression of such a sympathy.

Sir, Mr. Islam made a very constructive suggestion. Unfortunately, his time

had to be cut short. One of the point* that he made was that for the dismissal of the Ministry, the only recourse available is to go to the Supreme Court or the High Court. But my respectful submission will be that for any political problem, there may be two solutions. One is a legal solution—a person may decide to go to a court of law—and the other is a political solution. It is not necessary that if a legal solution is open, you do not go for a political solution. The people have gone to the court; the court will consider that. What I consider is primarily a political problem and a political decision has to be taken. A political decision can be taken only by this House. He has also made a suggestion that while we detect and deport the people who have come after 1971, the identification can be made of the people who have come between 1961 and 1971. The numbers can be ascertained. And it can be ascertained whether the number is such that it threaten the language and

the culture. If it is small, it* can be assimilated; if it is large, obviously some political decision can be taken. I think, that can be a framework on which a solution can be attempted. I believe that when the suggestion has come from a very responsible Member of the ruling party, who knows the problem in Assam, in all humility, I would submit that the hon. Home Minister should immediately take serious cognizance of this suggestion. I pleaded for negotiations. And even now I plead for negotiations. And the hon. Home Minister has said that the doors are open. Well, your doors may be open. But nobody can walk in. To a door of a Minister nobody can walk, particularly in these days unless there is an invitation. And whether those leaders will take a pragmatic approach or not will be known only when you talk with them. Therefore, I would urge that you immediately start the negotiations. And when I say that a solution will be found, I believe, I am saying it on the basis of some understanding. I do not want to take more time. I would appeal to the hon. Prime Minister also because this point has been made during the debate on the President's Address by some hon. Mem-

bers that negotiations in Assam should start so - that the stalemate can end.

Sir, I once more thank you for giving me this opportunity. And I thank all the hon. Members who have taken interest in this discussion. Lastly, Sir, I know that by a show of vote, I cannot win. But the whole purpose of my moving this Resolution was to focus the attention of the country. And having felt that my purpose has been served, I do not want to press this Resolution for a vote.

MR. DEPUTY CHAIRMAN: The question is:

"Leave be granted to withdraw the Resolution."

The motion was adopted. The Resolution v.as, by leave, withdrawn.

5 v.m.

MOTION OF THANKS ON THE PRESIDENTS ADDRESS—(Contd.)

[Mr. Chairman in the Chair] INDIRA GANDHI: Mr. Chairman, Sir, once again we meet to debate on the President's Address. It is a report to the nation to enable us to see our problems and our endeavours to solve them in the correct perspective. An hon. Member close to call it, or rather compare it to, an A.I.R. bulletin. Indeed, the Address is a matter of fact. We do not indulge in exaggeration and hyperbole. I can understand hon. Members plugging their party lines. But let us keep in mind that belittling the national effort demoralises the entire nation. Our farmers, our workers, our *scientists* and others have done a magnificent job in a difficult year. Our people, specially women, have borne their burdens with courage. It should be our duty to encourage them and not to discourage them. As for this Government our foremost concern remains to relieve the people's hardship through planned development.

An hon. Member has compared our achievements with the mythical target! of the Janata Party's so-called 1978—1983 Plan. Where was this Plan, Sir? Whatever else the Janata Party—Lok Dal Governments did or did not do, no one can claim that they made any effort to implement a Five Year Plan. In fact, soon after it came to office, it jettisoned the Fifth Five Year Plan of 1974—1979, one whole year before its completion. They talked of a Draft Plan, a Rolling Plan, a Revised Draft Plan, and so on. By the end of 1979 they were out of office without adopting any Plan at all. As a result the process of planned development suffered a setback.

Some hon. Members dispute the high economic growth in the Sixth Plan. It is their privilege to do so. But it is an astounding attitude to shut their eyes to what has been done in the last 33 years and specially in the last four. Facts which have been studied, accepted and applauded by experts here and by international leaders and organisations are being disputed by the opposition. On what basis? In these last four years the year by year increase in our development efforts has been considerable, not merely in financial terms but also in terms of the number of people covered and sections of population specially assisted. In the Sixth Plan, as a whole, the G.D.P., Gross Domestic Product growth is expected to be close to its target of 5.2 per cent. This is the highest compared with any previous Plan. Is this not a remarkable achievement? Outlays in the Sixth Plan were increased substantially from year to year and in 1984-85 it is 25 per cent higher than in the previous year.

Yesterday, I spoke of what we have done for farmers, for fishermen, for weavers and artisans in general, and others. I do not want to repeat all of it here but may I draw your attention also to the substantial increase in farm prices for foodgrains, for cotton and oilseeds. As compared with the procurement and support prices in January 1980, wheat pro-