I. STATUTORY RESOLUTION SEEK-ING DISAPPROVAL OF THE PUN-JAB DISTURBED AREAS ORDI-NANCE, 1983—contd.

II. THE PUNJAB DISTURBED AREAS BILL, 1983.

ED. STATUTORY RESOLUTION SEEK-ING DISAPPROVAL OF THE CHANDIGARH DISTURBED AREAS ORDINANCE, 1983—contd.

IV. THE CHANDIGARH DISTURBED AREAS BILL, 1983.

V. STATUTORY RESOLUTION SEEK-ING DISAPPROVAL OF THE ARMED FORCES (PUNJAB AND CHANDIGARH) SPECIAL POWERS ORDINANCE 1983—contd.

VL THE ARMED FORCES (PUNJAB AND CHANDIGARH) SPECIAL POWERS BILL, 1983.

श्री कलराज मिश्र (उत्तर प्रदेश) : उपसभापति महोदय, पंजाब श्रीर चण्डीगढ़ को विक्ष ब्ध क्षेत्र घोषित करने का जो विधे यक बाया है, मैं ऐसा अन्भव करता ह कि इनको ग्रगर विक्षब्ध क्षेत्र घोषित नही किया जाता तो ग्रन्छा होता । जहां तक पंजाब की स्थिति का संबंध है, उसके बारे में माननीय सदस्यों ने प्रपनी बातों को सदन के सामने रखा है। परन्तु शासना-**ख्ड दल के मिलों ने जो बातें सदन में** रखी हैं ग्रीर जो बातें हमने सुनी हैं उनसे निश्चित रूप से इस प्रकार का निष्कार्ष निकलता है कि इनके नेता ही स्वयं यह नहीं चाहते हैं कि पंजाब की समस्या का कोई समाधान निकाला जाय क्योंकि ये लोग बार-बार यह आरोप लगाते हैं कि विरोधी दल के लोग अगर चाहें तो अकालियों के पास जाकर बैठ जायें ग्रौर उनसे कहें कि इस समस्या का समाधान निकाला जाय ग्रीर प्रपने अ।पको उससे वरी रखना चाहते हैं।

ये लोग बार-बार यह आरोप लगाते हैं कि पंजाब ग्रीर चण्डीगढ़ को जो ग्राज विक्षब्ध क्षेत्र घोषित किया जा रहा है, इसके लिए विरोधी पक्ष के लोग जिम्मेवार हैं । वे हम पर ग्रारोप लगा रहे हैं कि विरोधी दल के लोग पंजाब की समस्या का समाधान नही चाहते हैं। जैसा कि हमारे कुछ मित्रों ने कहा है, पंजाब की समस्या ग्राज जो इतने विकराल रूप में सामने ग्राई है उसके लिए शासन-रूढ़ दल के शापसी झगड़े जिम्मेदार हैं । उनके ग्रापस के विघटन के कारण पंजाब की स्थिति ने यह रूप लिया है। सदन के अन्दर श्रीर समाचार-पत्नों में यह बात कई बार सामने आई है कि मृतपूर्व गृह मंत्री ग्रीर ग्रभी कुछ दिन पहले तक वर्धात राष्ट्रपति शासन लाग् होने के पहले तक जो वहां पर मुख्य मंत्री थे उन दोनों में ब्रापस में लड़ाई थी ब्रीर उस की व्यान में रखकर जो ग्राज वहां पर विभिन्न प्रकार के विघटनकारी और उग्रवादी तत्व सामने ग्राए हैं, उनको प्रोत्साहन देने की कोशिश की गई। इसका प्रत्यक्ष रूप से उदाहरण यह है कि लाला जगत नारायण की हत्या हुई, और हत्यायें हुई लेकिन हत्यारी को पकड़ा नहीं गया । ध्रगर उनको उस वक्त कहा दंड दिया जाता तो उप्रवादी तत्वों की हिम्मत न बढ़ती कि वे सर उठा सकते । लेकिन यह नहीं किथा गया । यह इसलिये नहीं किया गया क्योंकि धापस में उनकी लाइन विगड़ी हुई थी । एक उनके पक्ष का और दूसरा दूसरे के पक्ष का और उस समय पार्टी के ग्रंदर ही, इन दो पक्षीं की रस्साकशी ने पंजाब को इस प्रकार की ज्वाला में धकेल दिया । ग्राज पंजाब ग्रापके नियंत्रण के बाहर है । उन्होंने स्वयं स्वीकार किया है कि पंजाब उनके नियंत्रण के बाहर है। इस श्रसफलता

को, इस विफलता को ग्रापकी सरकार ने खुद स्वीकार किया है ग्रीर खुद ही ग्रपनी विफलता स्वीकार करने के बाद सरकार यह बोले कि विरोधी दल के लोग नहीं चाहते हैं इसलिये समस्या का समाधान नहीं हो रहा है, मैं तो समझता हं कि इससे बढ़कर ग्रपने ऊपर तमाचा लगाना और क्या हो सकता है। नाथ ही साथ उन्होंने स्वीकार किया है कि हम शासन करने में ग्रसफल हैं. ग्रसक्षम हैं, इसलिये इसको विक्वा क्षेत्र वोवित करके हमको विशेषाधिकार दिये जायें। इसमें जो विशेषाधिकार दिये जा रहे हैं इसके भ्रन्दर यह कहा गया है, इसमें यह साफ है कि हबलदार को उतना अधिकार दे दिया जायेगा कि वह किसी को भी जाकर पकड सकता है, किसी को भी घर से निकाल सकता है, उसकी जांच पड़ताल कर सकता है। ब्राज जो स्थिति है वह यह है कि जो उग्रवादी हैं, उन उग्रवादियों की तरफ सरकार घ्यान नहीं देती, वह पकड़े नहीं जा रहे हैं, वे हत्यायें कर रहे हैं लेकिन पकडे नहीं जा रहे हैं। निरपराध लोग मारे जा रहें हैं, बावजूद इसके कि पंजाब में राष्ट्रपति शासन लागू है । हम लोगों ने राष्ट्रपति शासन का स्वागत किया था । लेकिन यह इस अपेक्षा से किया था कि पंजाब के अन्दर कड़ाई होगी, उग्रपंथियों का दमन होगा । लेकिन उग्रपंथियों का दमन नहीं हुआ । इसके पहले मोटर साइकिल से जो जाते थे उनको रोक दिया जाता था भीर पूछते थे कि मोटर साइकिल से कहां जा रहे हो? ग्रगर वे रुकते नहीं थे तो गोली मार दी जाती थी । यानी इस तरह की हरकतें पंजाब के श्रंदर की जाती हैं भीर निरपराध लोग उसमें मारे जाते हैं। लेकिन जो उग्रवादी तत्व हैं में ग्रमी भी स्वतंत्र पुम रहे हैं। अभी ही बस से खीचकर लोगों को मार डाला गया। मैं पूछना चाहता

हं कि क्या कोई पकड़ा गया ? मैं श्राशा करता हं कि गृह मंत्री महोदय इस सम्बन्ध में सदन को बतायेंगे कल जो चार हत्यायें हुई उस संबंध में कितने लोग पकड़े गये । इस तरीके से ग्रनेक हत्यायें वहां पर हो रही है ग्रीर ग्रातंक का एक माहील पैदा करने की कोशिश की जा रही है। कुछ मुट्ठी भर लोग एक साम्प्रदायिक तनाव बनाने की कोशिश कर रहे हैं। मटठी भर का प्रयोग मैं इसलिये कर रहा है क्योंकि सामान्य सिख श्रौर सामान्य हिन्द इनका श्रापस में कोई तनाव नहीं है। लेकिन मुट्ठी-भर लोग इस प्रकार का साम्प्रदायिक तनाव पैदा करके सामान्य सिख के अन्दर भी इस तरह की भावना [उपसमाध्यक्ष श्री दिनेश गोस्वामी पीठासीन हए]

डालने की कोशिश कर रहे इन भूट्ठी-भर लोगों को पकड़ने में वहां का प्रशासन ग्रपने को ग्रसक्षम पा रहा है, प्रशासन इन को नियंत्रित करने में • असफल सिद्ध हो रहा है और आरोप यह लगाया जा रहा है कि विरोधी दल गलत है। यह विरोधी दलों की गलती तो नहीं हो सकती है। सरकार स्वयं श्रपनी विफ़लताश्रों पर पर्दा डालने की कोशिश कर रही है। में समझता हं कि ग्रापको स्वयं स्वीकार करना चाहिये कि प्राप शासन चलाने में विफल हैं। राष्ट्रपति शासन तो लाग कर दिया लेकिन असेम्बली को भंग नहीं किया। क्या पंजाब के अन्दर दूसरा मुख्य मंत्री नहीं चुना जा सकता था । वहां पर एम० एल० ए० हैं, ग्राप उनके माध्यम से दूसरा मुख्य मंत्री चुनते । वह मुख्य मंत्री शायद प्रशासन ढंग से चलाता और राष्ट्रपति शासन की ग्रवधि ग्रागे बढाने की भावश्यकता नहीं पड़ती । लेकिन यह नहीं किया जा रहा है। ग्रसम्बली बरकरार है, एम० एल० ए० बरकरार हैं, डिस्टब एरिया घोषित कर दिया,

श्री कलराज मिश्री

का नाटक धभी बरकरार है। लेकिन उसे डिस्टर्ब एरिया बोबित करने के बाद वहां पर क्या कोई कानन और व्यवस्था की स्थिति में सुधार हो रहा है ? हमें तो कोई सुधार नहीं दिखाई पड़ रहा है । प्रशासन चलाने के लिये सरकार यह घोषणा करती है कि हम भासन ठीक हंग से चला सकते हैं, प्रशासन कडाई के साथ चला सकते हैं तो उस कड़ाई का उपयोग नयों नहीं नहो रहा है ? ग्रगर ऐसी बात है तो उग्रवादियों पर उन गंडों पर उन ग्रसमाजिक तत्वों पर नियंत्रण क्यों नहीं हो रहा है ? बार बार दहाई देते हैं कि हमारी प्रधानमंत्रे ने यह कहा, वह कहा लेकिन इससे कोई काम नहीं वनता । न्नाप प्रत्यक्ष रूप से क्या कर रहे हैं ? गांति स्थापित करने के लिये और पंजाब में ग्राम नागरिकों के सामने जो एक *माहोल पैदा करने की कोशिश की जा रही है उसको रोकने के लिये ग्राप क्या कर रहे हैं ? इस बारे में कुछ किया गया है यह दिखाई नहीं दे रहा है । उल्टे विरोधा दलों को गाली दी जा ही है। मैं कहना चाहंगा कि मंत्री महोदय से, यद्यपि पंजाब के बारे में जब पिछली बार बहस चल रही थी तो गह मंत्री जी न विरोधी दलों से आयह किया था कि आप जाइये ग्रांर श्रकालियों के साथ बात करिये और समस्या का समाधान निकालने की दृष्टि से उनसे चर्चा चलाये और इसके लिये हमारी तरफ से जो व्यवस्था की जा सकती है वह हम करेंगे। मैं समझता हूं यह कह कर अपनी जिम्मेदारी से वह इटना चाहते हैं। अपनी जिम्मेदारी से इटना नहीं चाहिये । उन को यह बाहिये कि सब लोग मिल कर वर्ले। इम साथ में चलते हैं वहां बैठते हैं । ग्रगर वह कहते हैं दरवार साहब जा कर बैठ कर अकालियों को बाध्य किया जाए कि बे श्रपना मोर्चा वाणिस लें तो सब चलें। शासन में बने हुए अगर आज यह महसूस करते हैं कि विरोधी दलों के लोगों का ग्रौर साथ ही साथ समाज के विभिन्न क्षेत्रों में काम करने वाले ऐसे प्रमुख नागरिकों का सह-योग लेकर पंजाब की समस्या का समाधान निकाला जा सकता है तो सब को ग्रामिन-वत आप करिये । सब को अमन्त्रिन कर के आप अगवाई करिये वहां जा कर बैठिये। पंजाब का ही मालला नहीं है। पंजाब की समस्या को देख कर सारा देश इस समय तबाही की दिशा में जा रहा है। इसलिए पंजाब के मामने में सब का सामृहिक तौर पर सहयोग ले कर निपटाने की दष्टि से ग्रापने कोशिश नहीं की तो विधेयक पास हो जाने से बहुत वड़ा लाभ हो जाएगा कम से कम ऐसा मैं नहीं समझता हं। तो जहां प्रशासन की दृष्टि से कड़ाई की जरूरत है वहां ग्राम तौर पर माहौल ग्रन्छ। बने लोगों के अन्दर सदभावना निर्माण हो इसके लिए पहल कर के विरोध पक्ष के लोगों को स्नाम नागरिक जो समाज में प्रमख नागरिक हैं उनको साथ में लेकर जहां भी ग्रावयकता पडे वहां जा कर समस्या के समाधान की दिच्ट से विचार-विमर्भ के द्वारा ग्राप जितना ग्रधिक से ग्रधिक कर सकते हैं उस हिसाब से करिये । यह भी प्रक्रिया अपनाइये ग्रीर साथ ही साथ प्रशासन की दल्टि से जितनी कड़ाई से वह करिये । आपके पास काननी हथियारों की कमी है ऐसा मैं नहीं मानता हं इसलिए डिस्टबं एरिया घोषित करने का मैं समर्थन नहीं कर सकता क्योंकि काननी हक आपके अधिकार में ज्यादा है उसका उपयोग कर के सारी व्यवस्था ग्राप कर सकते हैं । इसलिए इन कुछ सुझावों के साथ में इसका विरोध करता हं। अभी हमारे सुलतान सिंह जो ने हमारी पार्टी के प्रध्यक्ष का नाम लिया । इसलिए मैं उसके सम्बन्ध में

कुछ चर्चा करना चाहता हं । उन्होंने कहा कि वाजपेयी जी ने यह कहा कि विदेशी हाथ नहीं हैं और इन्दिरा जी ने विदेशी हाथ की बात की तो वाजपेयी जी ने कहा कि विदेशों हाथ कहां हैं और यदि विदेशी हाथ है तो उसको साफ करें कि किस का हाथ है ग्रीर कौन से तत्व काम कर रहे हैं और सरकार वहां पर क्या कर रही है ? ग्रगर सीमा से घुस कर कोई विदेशी यहां ग्रा रहे हैं ग्रौर ब्रापके प्रदेश में द्या कर उपद्रव कर रहे हैं तो आप क्या कर रहे हैं ? आप उसको पकड़ क्यों नहीं रहे हैं ? आप उसको आइडेंटोफाई क्यों नहीं कर रहे हैं ग्रीर जब ग्राप ग्राइडेंटें/फाई नहीं कर रहे तो आप यह कैसे बोल रहे हैं कि ग्रमुक स्थान पर विदेशी तत्व हमारे देश में अब्यवस्था निर्माण करना चाहते हैं, एंटी सोशल एलीमेंट इकट्ठा हो **र**हे हैं, उपद्रव कर रहे हैं । उनको आप पकड नहीं रहे हैं। उन को आप कह रहे हैं विदेशों हाथ है, यदि ऐसा है तो ग्राप इसको लोगों के सामने रिखये, देश की जनता के सामने प्रस्तृत करिये यह विदेशों है या देश से सम्बन्धित है तब शायद आप वहां की स्थिति की नियंतित कर सकने में सक्षम हो सकेंगे। देश को आप गमराह न करिये। इसलिए कोई विरोधी दल का नेता बोलता है कि इसमें अमृक चींज है तो वह लोगों के सामने लाएं और वास्तविक को ध्यान में रख कर के उसका समाधान कैसे हो सकता है इस अच्छी नीयत के साथ में बैठ कर उसका हल निकलाने की दृष्टि से प्रयत्नशील होइये । यह हमारा गृह मंत्री जी से निवेदन है कि वे इस सम्बन्ध में निश्चित रूप से पहल करें सब को साथ ले कर के विचार विमर्श के माध्यम से भीर प्रशासनिक कड़ाई करके दोनों जरिये से पंजाब की समस्या के समाधान करने की दिशा में पहल करें। इतनी हो बात कह कर मैं ग्रपनी बात समाप्त करता हं।

डा० रुद्र प्रताप लिह (उत्तर प्रदेश) : ब्रादरणीय उपसभाष्यक्ष जी, मैं ब्रापका हृदय से आभारी हुं जो आपने मुझ को पजाब विक्षव्ध क्षेत्र ग्रध्यादेश, चण्डोगढ विस्वध क्षेत्र ग्रध्यादेश ग्रीर सशस्त्र बल (पंजाब ग्रौर चण्डोगढ़) विशेष शक्तियां म्रध्यादेश के निरनुमोदन सम्बन्धी सांवि-धिक संकल्प एवं पंजाब विक्षब्ध क्षेत्र विश्वेयक, चण्डीगढ़ विक्षुद्य क्षेत्र विश्वेयक ग्रीर संशस्त्र वल (पंजाब तथा चण्डोगट) विशेष शक्तियां विश्वेषक जो अत्यंत संवेदनकोल हैं पर भपने विचार प्रकट करने का अवसर प्रदान किया है। मैं माननीय गृह मंत्री जी द्वारा प्रस्तत विधे-यकों का समर्थीन करने के लिए खडा हम्रा है । श्रोमन्, मैंने अपने पूर्ववक्ता का तनावपूर्ण, उत्तेजनापूर्ण, आवेशपूर्ण, भाषण को सुना । मैं प्रत्युत्तर शैली को न अपना कर के केवल अपना दिष्टकोण प्रस्तृत करना चाहंगा ।

मान्यवर, पंजाब में कानन और व्यवस्था उग्रवादी, ग्रातंकवादी तथा प्यव-ताबादी एवं ग्रसामाजिक तत्वों की अनिय-मित गतिविधियों एवं कार्यवाहियों के कारण अत्यंत दुषित हो गई है । इन तत्वों तथा शक्तियों के कारण पंजाब तथा चण्डीगढ़ में निरंतर हिंसा हो रही है। सम्पूर्ण क्षेत्र में तनाव का बाताबरण व्याप्त है। अपराधियों की संख्या में तथा स्वरूप में असाधारण रूप से वृद्धि हो रही है

बष्टिनों की मांग का सिदूर लुप्त हो रहा है, माताओं की गोद रिक्त हो रहो है । मानव जीवन भयग्रस्त तथा

[SHI PIDK RO OIS]

असुरक्षित हो गया है। हर स्रोर मानवता सिसक रही है तथा करीह रही है दूसरी अर्भर हिंसा अट्टाहास कर रही हैं, कुरता तया वर्बरता का तांडव नृत्य हो रहा है।

राष्ट्र की अखंडता, एकता तथा प्रमुसत्ता को गम्भार भय उत्पन्न हो गया है ।

श्रोमन्, किसी भी सरकार का यह नेतिक तथा संवैधानिक कर्त्तव्य है, उत्तर-दाधित्व हैं कि राष्ट्र की ग्रखंडता तथा प्रभुसता की सुरक्षा रखे, राष्ट्र में भाव तत्मक एकता का बातावरण स्थापित रखे, राष्ट्र में कानून एवम् व्यवस्था का पालन हो, राष्ट्र में ग्रांतरिक सुरक्षा को भावना पल्लवित तथा पुष्पित होतो रहे, जिससे राष्ट्र प्रगति एवम उन्नति के पय पर निरन्तर ग्रग्रसर होता रहे। साथ हो एक आत्म-निर्भरता सम्पन्न एवम् म्रात्म-विश्वासी तथा शक्तिशाली राष्ट्र बन सके।

भारत की महान प्रधान मंत्री, श्रीमती इन्दिरा गांधी इस दिशा में सतत प्रयत्न-मोल हैं। मैं उन्हें हृदय के धरालत से कोटि-कोटि वधाई देता हुं । स्रादरणोया श्रीमती इन्दिरा गांधी जी की पंजाब के संबंध में गहरो चिन्ता है। श्रभी तक उस दिशा में उनके द्वारा उठाये गये कदम इस बात के ज्वंलत उदाहरण हैं कि वह समस्या का तत्काल निराकरण करना चाहती हैं। उनके मन में पंजाब की जनता की भावनाएं, आंकाक्षाएं तथा ग्रावश्यकता का पूण ग्रादर है। उन्होंने सदा हो इस बात का प्रयास किया है कि राष्ट्र के हित को दृष्टि में रखते हुए समस्या का निराकरण हो।

and Chandiaarh

हमारी सरकार ने सदैव ही बातचीत के द्वारा समस्या के निराकरण का प्रयास किया है। सरकार की इस उदारता, विशालता तथा महानता की नीति को असमर्थता एवं राजनीति की संज्ञा दी गई है। परन्तु सरकार ने सदा ही महात्मा गांधी तथा पं0 नेहरु द्वारा प्रदर्शित मार्ग को ग्रपनाया है, उसकी में सराहना करता हूं।

श्रीमन् मैं विपक्षी दलों के सम्मानित नेताओं से भी प्रार्थना कक्षा कि वह इस समस्या को राजनीति के दृष्टिकोण से न देख कर एक राष्ट्रीय समस्या के रूप में लेने की इपा करें। सरकार पर दोषारोपण से समस्या का निराकरण नहीं हो सकता है । इससे हिंसा तथा पृथकतावादी शक्तियों को भ्रम हो सकता है कि राष्ट् के प्रतिपक्ष के कुछ नेताओं तथा दलों की उनके साथ सहानुम्ति है । यद्यपि मैं ग्राशा करता हूं कि ऐसा नहीं होगा, फिर भी वातावरण प्रतिकूल हो सकता है। इतना हो नहीं, विदेशों के सामने भी वास्तविक स्थिति नहीं भ्रा पाती है । यह हमारी श्रखंडता के हित में नहीं है ।

मैं अपील करता हूं कि आप लोग समस्या के निराकरण में सरकार को सहयोग दें। राष्ट्र की महान जनता सभी दलों की भूमिका को देख रही है।

श्रीमन्, माननीय सदन इस बात से सहमत होगा कि भारत एक विशाल तथा महान देश है जिसमें नाना प्रकार की जातियां, सम्प्रदाय तथा भाषा के लोग हैं । किसी भी जाति, सम्प्रदाय तथा भाषा के लोग राष्ट्र की ग्रखंडता तथा एकता को कभी समाप्त नहीं करना चाहेंगे । प्रत्येक राष्ट्र में कुछ ग्रसामाजिक एवं राष्ट्रद्रोही तत्व तथा शक्तियां होती हैं जो जाति, धर्म तथा भाषा के नाम

पर संघर्ष कराती हैं, हिंसा तथा धार्तक. का वातावरण उत्पन्न करना चाहती हैं। इस कार्य के हेत् राष्ट्र का हिन न चाहने वाले राष्ट्रों से उन्हें हर प्रकार की सहायता प्राप्त होती है। इन प्यक-तावदी तत्त्रों का मुखौटा जाति, धर्म भाषा होता है, पीछे पृथकतावादी शक्तयां कार्यं करती हैं।

श्रीमन् पंजाब ने राष्ट्र के स्वतंत्रता ब्रान्दोलन में प्रमुख भूमिका का निर्वहन किया है। स्वतंत्रता की बलिवेदी जलियां-वाला बाग पर पंजाब को ही नहीं सम्पूर्ण राष्ट्र को गर्व है। स्वतंत्रता के पश्चात जब भी राष्ट पर ग्राकमण हम्रा है, पंजाब ने सदा ही त्याग किया है, बलिदान दिया है। राष्ट्र की उन्नति, विकास एव स्मृद्धि में पंजाब का थीगदान सराहनीय रहा है।

मैं अपने पंजाब के भाइयों से अपील क्रंगा कि वह ग्रपने बीच कार्य पर रहे देशद्रोही तत्वों तथा शक्तियों को पष्टचानें, सरकार को सहयोग दें तथा पंजाब में प्रेम एवं स्नेह, सद्भावना, मैंती की भावना उत्पन्न करने में सहायता करें।

श्रीमन् उपवादी, पृथकतावादी तत्व पंजाब एव चंडीगढ़ में ग्रनियमित तथा हिंसक गतिविधियों में कार्यरत हैं। हत्याएं हो रही हैं, तोड़फोड़ की कार्य-वाही चल रही है, ग्रस्रका की भावना गम्भीर होती जा रहो है, आगजनी, ल्ट, डकैतियां बढ़ रही हैं, जनता की स्रक्षा हेत् प्रभावी उपाय बावश्यक हो गये हैं । ऐसी स्थिति में पुलिस ग्रीर सेना के प्रभावी ढंग से निपटने के लिए ये विधेयक लाये गये हैं । इन विधेयकों का उद्देश्य सीमित है और वह है अप-राधियों को पकड़ना तथा अपराध को रोकना जो आवश्यक ही नहीं अपित् म्रनिवार्यं हो गया है।

ग्रन्त में मैं गृह मंत्री जी को इस बात के लिए बचाई देना चाहता हूं कि उन्होंने पंजाब तथा चंडीगढ़ में जत्पन्न स्थिति को दृष्टि में रखते हुए माननीय सदन में इन विधेयकों को प्रस्त्त किया है। मैं समझता हं कि उन्होंने यह विधंयक प्रस्तुत करने में प्रसन्नता का ग्रन्भव नहीं किया है, दुखी भाव से ही उन्होंने विधेयकों को प्रस्तृत किया है क्यों कि उन्हें इस के लिए विवश होना पड़ा है। मैं इस बात से पूरी तरह सहमत हं कि इन विधेयकों को प्रस्तुत करने के ग्रतिरिक्त सरकार के सामने कोई विकल्प नहीं था जिस से वर्तमान परिस्थितियों पर नियंत्रण पा सर्के, जिस से शान्ति ग्रीर व्यवस्था स्थापित हो सके और राष्ट्र की अखंडता बनी रहे। अन्त में आप की अनुमति से हिन्दों की एक स्वाई पढ़ कर ग्रंपनी बात को समाप्त कहंगा।

> "बात ही बात में विश्वास वदन जाता है

> रात ही रात में इतिहास बदल जाता है

तू मुसीवत से न घषरा ग्ररे इंनसां घरा की कौन कहे ग्राकाण बदल जाता है।"

इन शब्दों के साथ में प्रस्तुत विधेयकों का समर्थन करता हूं । घन्यवाद ।

श्री सस्य गल मलिक (उत्तर प्रदेश): श्रीमन, कल की घटनाओं के बाद आज यहां बहस में जो संजीदगो होती वह गैरहाजिर हो गयी ग्रीर सरकारी पक्ष की गलती से हो गयी। वह ऐसा

and Bills श्रा सत्यपाल मिलक]

नामला या कि जब इस पर वहस होती तो छोटी छोटी वातों से उठ कर होनी चाहिए थी । मैं खुद यह सोच रहा था कि जो पाटियों के अलग-अलग द्धिकोण हैं उन से ऊपर उठ कर कुछ बात कहूं, लेकिन सेठी के पास कई सुलतान सिंह जी हैं ग्रीर वे सारी बात को कड़वा कर देते हैं। फिर भी मैं कोशिश करुंगा कि उस स्तर पर बांत को नले जाऊं।

केन्द्र सरकार ने जो यह कदम उठाये हैं उन से हमारी ग्रसहमति नहीं है। स्थिति से निबदने के लिए यह जरुरी था। किन्तु मेरा कहना सिर्फ यह है कि यह कदम आप ने कुछ सोच-समझ कर इस मसले को हल करने के लिए नहीं उठाये, बल्कि घटना विशेष से ग्रचानक चौंक कर उठा दिये और एक तरह से उनीदे भौर ऐसे भादमी द्वारा उठाये गये हैं जो नींद में चलता जा रहा था, एक घटना ने उसे चौकाया और उस ने एक खास हरकत कर दी ग्रगर ग्राप ने सोच-समझ कर कदम उठाया है तो उस के नतीजे निकलेंगे, लेकिन मेरा विश्वास है कि घटना से चौंक कर आप ने यह कदम उठा दिया।

स्थिति में इस के बाद सुधार हुआ हो ऐसा आप मानते होंगे, हम नहीं मानते । पंजाब के भूतपुव मुख्य मंत्री का बयान छपा है। छन्होंने एक इन्टरब्यू में कहा है कि राष्ट्रपति गासन लागू होने के बाद स्थिति में सुधार नहीं हुआ है। घटनाग्रों की वावत उन्होंने कहा है कि जो पेटी, मामूली ऋमिनल्स हैं उन की गिरफ्तारियां हुई हैं, जो बड़े हैं, प्रोक्लम्ब आफोन्डसी है जन की गिरफ-तारियां में बमी कोई कामयावी नहीं

मिली। उन का खुद का ऐसा मानवा है कि जो नतीजे हम सोचते थे वह नहीं निकले । यह सेठी जी को जिम्मदारी है कि वह दरबारां सिंह के बयान को दृष्टिगत रख कर कामयाब होने की कोशिशं करें।

and *Chandigarh*

concerning Punjab

मैं सुल्तान सिंह जो के इस कथन से असहमत हूं कि पंजाब के मामले में कोई पोलिटिकल सोल्युशन नहीं हो सकता आज की बहस में सब से खतरनाक बात कही गयी है कि किसी पोलिटकल सोल्यू-शन की जरूरत नहीं है। श्रीमन, लोक-तंत्र में सिर्फ पोलिटिकन सोल्युशन होता है! लोकतंत्र में फीज के जरिए, पुलिस के गरिए मसले हल नहीं होते । लोकतंत्र ही नहीं, जिन तानाशाहियों ने कोशिश को है पुलिस, टैंक ग्रीर वारूद से मसले हल करें उन के नतायज आप देख सकते हैं। ईरान के शाह के पास एशिया और मध्य एशिया की सब से ताकतवर फौज थी, लेकिन पोलिटिकल सोल्युशन नहीं करना बाहता था, उस का जो हथा वह स्राप के सामने है। इस के बाद खोमेंना 'स्रीर' तमाम : दुनिया के नतीजे लीजिए। मैं ग्राप को चेतावनी देना चाहता हं कि पंजाब नागालैंड नहीं है, नागालैंड दिल्ली से बहुत दूर है, नागा-लैंड की सारी बातें दिल्ली तक नहीं पहुंचती ? पंजाब आसाम भी नहीं है-जब मैं यह कहता हूं तो मेरा मतलब यह नहीं है कि आप अकाली दल की सारी बातें मान लोजिये, आप राष्ट्रीय पार्टी के तौर पर, सरकार के तौर पर कहिये कि हम फलां-फलां मानते हैं, इस के आगे हम नहीं जायेंगे। सारा देश आप के साथ खड़ा हो जायेगा । जी वाजिब बातें हैं उन को मानिये और गैर वाजिब बातों को ब्राइडेंटिफाई कीजिए। लेकिन सर कहता कि इस का पीलिटिकल सोल्यूशन नहीं हो सकता पंजाब के मामले का, यह एक खतरनाक स्टेटमेंट है और में चाहता हं कि माननीय गृह मंत्री जी में तरमीम लायें और बतायें कि उन को पार्टी को इस मामले में क्या नीति है। श्राप की पार्टी डाइवर्ट कर रही है। पानी के मामले में हरियाणा के साथ ज्यादती हुई, लेकिन जब आप हरि-याणा के मुख्य मंत्री को डांटते हैं, धमका देते हैं तो वह चुप हो जाता है। जब ग्राप उस को उकसा देते हैं तो वह बोलने लगता हैं और दंगाइयों की भाषा बोलता है। किसी सूबे के म्ख्य मंत्री की क्या यह भाषा होना चाहिए कि एक विश्नोई सौ जाट के बराबर होता है। ऐसे बयानात से सांप्रदायिकता बढती है। मझे इस बात का अपक्रमोस है। कुरुक्षेत्र में ग्राप का सम्मेलन हो रहा था। ढिल्लों साहब जो स्पीकर रहे हैं लोक सभा के वे वहा पंजाब का दृष्टि-कोण रख रहेथे। मुझे पंजाब के दृष्टि-कोण रखते हए पूरी सहानुमृति नहीं है और हरियाणा के दिष्टकोण से भी पूरी सहानुभृति नहीं है। मैं तो वाजिब बात के पक्ष में हं, लेकिन पंजाब का दृष्टि-कोण रखते हुए ग्राप की पार्टी के नेता ग्रौर ग्राप की पार्टी के लोग हो उन को बोलने नहीं देते। आप अपनी बात की सफाई करते हैं तो कहते हैं कि प्रधान मंत्री जी कहती हैं कि देश को खतरा है। हमारे नेता भी यह बात मानते हैं। वे कहते हैं कि देश को खतरा है ग्रीर विदेशी ताकतें हिन्दुस्तान को तोडने में दिलचस्पी रखती हैं। हम यह भी मानते हैं कि आज पंजाब में कुछ ऐसे लोग हैं जो उन ताकतों के हाथ में खेल रहे हैं। लेकिन श्राप का गवर्नर तत्काल कहता है कि इस में विदेशी ताकतों का हाथ नहीं है। तो यह जो हिस्किपेंसी है, यह जो कन्फप्- जन है इस को आप दूर करिए। अभी मैं पढ़ रहाथा, हमारे सुब्रमः नियम स्वामी साहब खाना खाते हैं पाकिस्तान के राजाध्याक्ष के साथ उस में बातचीत के दीरान जिया साहब कहते हैं कि मी तो साबित करने के लिए तैयार हं कि पाकिस्तान के ग्रंदर हो रही गड़-बड़ियों में हिन्दुस्तान का कहा-कहा हाथ है, लेकिन हिन्दुस्तान यह साबित करने के लिये तैयार नहीं है। आप के राजदत वहां बैठे हैं ...

भी हरि सिंह नलवा (हरियाणा) : मेरा एक प्वाइंट ग्राफ ग्राडर है। में माननीय सदस्य से पूछना चाइता हं कि आप तो पार्टी के जनरल सेक्रेटरी हैं। भ्राप हो कह रहे हैं कि कार पंजाब का पोलिटिकल सोल्यभन नहीं निकालना चाहती । मैं माननीय सदस्य से प्छना चाहता हं कि इस मामले में लोक दल की जया नीति है, इस पोलिटिकल सोल्युशन निकालने के बारे में, जो ग्राप कहते हैं ...

THE VICE-CHAIRMAN (SHRI DI-NESH GOSWAMI: There is no point of order. But you have made your point.

थी सत्यपाल मलिक : मै उन का जवाब द्ंगा । राष्ट्रपति जिया यह इल्जाम लगाते हैं और इमारा राजदूत वहां बैठा हुआ है । जितना इंटरव्य में मैंने पढा है, हमारे राजदत को उस का वहाँ जवाब देना चाहिए, ग्राप की पार्टी की तरफ से उसका जवाब जाना चाहिए धीर आपके प्रधान मंत्री जी की नाराज हाने की जरूरत नहीं है क्योंकि हम मानते हैं कि हमारे देश को खतरा है, लेकिन भाप ब्राइडेंडिफाई करिये कि वह कोन-कौन से एलीमेंट हैं कि जो खतरे का बाइस है और ग्राप उन के खिलाफ कार्यवाही करिये । श्रभी वहस हो गयी कि यह बांदोलन किस की पैदाइश है। मैं इस बहस में नहीं पड़न

[क्री सत्यपाल मलिक]

चाहता । बडे-बडे नाम लिये जायेंगे भाप की तरफ से, लेकिन में उस बहस में नहीं पड़ता, लेकिन साथ ही एक निवेदन करना चाहता हं कि सुप्रीम कार्ट के जज की एक इंक्वायरी हो जाए इस बात के लिये कि यह पंजाव का ग्रांदालन किस की पैदाइश है ग्रीर यह उग्रवादी किस की ग्रीलाद हैं। हम उस इंक्वायरी के लिए तैयार है, इस के लिये सारा श्रपो-जीशन तैयार होगा। एक फैसला पंजाब ग्रौर हरियाणा के सिलिसले में हो गया था । प्रधान यंत्री श्रीमती इंदिरा गांधी ने फैसला कर दिया था । कमीशन का एक फैसला हा गया था और उस के दोनों सुबों में भ्राप की सरकारें थीं। हरियाणा में आप की सरकार थी ग्रीर पंजाब में भी ग्राप की सरकार थी। इमरजेंसी लगी हुई थी। सारे देश में द्याप ने बलडोजर चलवा दिये। बारातों को उतार कर आप ने उन लोगों को जबरजस्ती नसबंदी करवा दी लेकिन आप ने पंजाब का भौर हरियाणा का फैसला नहीं करवाया, न उस की सीमा का फैसला करवाया श्रीर इस का जिम्मेदार अब हम को ठहराते हो कि अपोजीशन पार्टी इस के लिए जिम्मेदार में सुलतान सिंह जी को बात में ज्यादा नहीं फंसता इतना कि उन का जवाब देते समय में अपनी माकुल बात कहने से भी रह जाऊं। म कहना चाहता हूं कि आज जो स्थिति है देश के ग्रंदर वह बहुत खराब है और उस में भी पंजीव का मामला बहुत ज्यादा महत्व-पूर्ण है। लेकिन आसाम है, पंजाब है, इस सब के साथ ग्राप एकः नीज नोट कर रहे होंगे कि सारे देश में इस वक्त जो फिरके हैं अलग-अलग उन का लोडर-शिप स्थानीय स्तर पर समझदार लोगों के हाथ से निकल गयी है। पहले इस

and Chandigarh देश में, जन्स जलसे होंते थे, मोहर्रम आदि के त्यौहार होते ये दुर्गा की प्रतिमा का विसर्जन होता था और गान्ति पुण तरीके से सब काम हो जाता था। उस यह देखा गया है कि उन और अलसों का नेतृत्व कुछ समझदार लोगों के हाथ में होता था ब्राजादी को लड़ाई के दौरान एक ऐसी लीडरिशप निकली थीं कि उस के चलते सब कुछ शांति से हो जाता ब। लेकिन ग्राप नोट कर रहे होंगे कि पिछले 6 महीनों से या पिछले साल भर से स्थानीय नेतृत्व से वह समझदार लोग इरिलिलेंट हो गर्वहैं। जो बाज चारों फिरके हैं, मैं नाम नहीं लूंगा, लेकिन चाहे वह हिन्दू हों या मुस्लमान, सिन्ख हों या ईसाई, सब का नेतृत्व स्थानीय स्तर पर कुछ नामाकुल छौर एंटी सोशल लोगों के हाथ में चला गया है। कोई दिन नहीं गुजरता जब कि दंगे फसाद न होते हों। आज जो मनोबृत्ति बन रही है, ग्रगर देश के स्तर पर ऐसी मनोवृत्ति बन जाए और लीडरशिप ऐक्सदीमिस्टस के हाथ में चली जाएगी ग्रीर सिक्खों में भिडरावाला बनेगा तो हिन्दुश्रों में भी कोई नामा-कुल श्रादमी लीडर बन जाएगा और देश तहस-नहस हो जाएगा। ग्राप कहेंगे कि ग्राप के हाथ में ताकत है, ग्राप की सरकार कायम रह सकती है, मुल्क कायम रह सकता है, लेकिन वह सारे वैल्यूज वे सारो चीजें जो ब्राजादी की लड़ाई से पदा हुई थीं, वह खत्म हो जाएंगी और लोकतंव ।त्मक किस्म की लीडरशिप बत्म हो जाएगी।

इशिलए में फिर दौहराना चाहत। हूं कि मैं इस बात को नहीं मानना हूं कि गांधी जी की हत्या किसी के कहने से गोडसे ने की, किन्तु देश में

ही ऐसा पैदा हो जाता है एक माहील जिसमें ऐसा होता है। मैं नहीं कहना कि कौन प्रकाली ग्रान्दोलन के लिए जिम्मेदार है, लेकिन एक माहोल बन गया है जिसके लिए जिम्मेदार लोगों को ग्राप ग्राइडेंटि-फाई करें कि कौन लीडरशिप है जिसको वजह से यह हो रहा है। दूसरे जुबों में भी कम्यूनल लोडरिशिय के खिताफ बाव लड़ाई कीजिए, उनको ब्राइडेंटिफाई कीजिए। लेकिन अपोजिशन को इसका दोष मत दीजिए। मैं कहना चाहता हूं कि देश को बचाने में अपोजिशन न पीछे या और न पीछे आज है। ऐसे गंभीर मसले में मैं शेर कहने का आदी नहीं हूं, लेकिन इस माहौल में मैं दुश्यंत कुमार की दो लाइनें कहना चाहता हूं :--

"उनकी ग्रपील है कि उन्हें हम मदद चाक की पसलियों की गुंजारिश तो देखिए।"

ग्राप मदद भी चाहते हैं ग्रीर हमको मारना भी चाहते हैं, ये दोनों बार्ते चल नहीं सकतो ।

श्री चांद राम (हरियाणा) : में इनसे पूछना चाहता हूं कि क्या इनके पास होई पोलिटिकल साल्युशन है. ? लोक दल के पास कोई पोलिटिकल सोल्युशन है तो इस हाउस में रखें।

श्री राम मगत पासवान (विहार): उपसभाध्यक्ष महोदय, म ननीय गृह मंत्री जो द्वारा जो गंजाब ग्रीर चंड़ोगढ़ डिस्टःडें एरियाज बिल लाया गया है उसके समर्थन के लिए मैं खड़ा हुआ हूं।

महोदय, इस बिल का उद्देश्य 🗥 है। देश को एकता और अखंडता को सुरक्षा के लिए माननीय मंत्री जी यह बिल लाए हैं।श्रीमन्, भारत के प्रजातल म विरोधो पार्टिगों का जो रोल रहा है वह बहुत हो दुखदा भी रहा है। इनके इति-हास को देख लें तो प्रजातंत्र की सफलता केलिएया देशकी सुरक्षाकलिए देश के जो कल्याण के मृद्दे हैं, उनका इन्होंने समर्थन कमो नहीं किया बल्कि तहेदिल से विरोध किया। आखिर े भो जनता के चुने हए प्रतिनिधि हैं, जनता का विश्वास प्राप्त करके सदन में आवे हैं। तो इनको के साथ विश्वास-इस तरोके से जनता घात नहीं करना चाहिए।

उपसभाष्यक्ष महोदय, आज यह महसूस होरहा है इन लोगों ने भो कहा है कि पंजाव को जो स्थिति स्राज हो गई है पंजाब में जो उग्रवादो आतंक मचा रहे हैं; जो हिंसा पर उतर गो हैं, उनको हिंसा पंजाब तक ही सीमित नहीं बल्कि देश के दूसरे भागों में भो फैल गई है, जिससे हमारे देश को अखंडता ग्रीर एकता पर बड़ा प्रभाव पड़ रहा है, ऐसो स्थिति में इस दिल का लाना बहुत हो ग्रावश्यक था। श्रमो शिवचन्द्र झाजो ने, मैं उनकी बहुत कद्र करता हूं, इस बिल की तुलता मार्शल ला से को। इसकी तुलना पिछतो ग्रंग्रेजो सरकार के जमाने के विवेयकों से की। उन्हें क्या यह भी पता नहीं है कि गें ग्रातंकवादी लोग जो धर्म को ग्राड़ में ग्रान्दोलन कर रहे हैं, रे राजनीतिक चाल है। यह हमारा बार्डर स्टेट है, जब जब देश पर खतरा हुआ है तो बार्डर से शुरू हुआ है और इन ग्रानंकवादि ों की बढ़ावा कहां से मिल रहा है। विदेश लागों से ग्रीर पाकिस्तान से भो इनको बढ़ावा मिल रहा है। इसलिए इनको दवाने के लिए यह बिल लाना जरूरी था। इसका कं पैरिजन ग्राप पूर्वी की डकैती ग्रीर अंग्रेजी सरकार के बिलों से नहीं कर सकते। भ्राप जानते हैं कि इनकी हिंसा यहां

श्री राम भगत पासवान]

तक बढ़ गई है कि हजारों की जानें ना रही हैं राष्ट्रीय संपत्ति नष्ट हो रही है. किउने अधिकारों मारेगये हैं, ब्रामिक आह में हिसा हो रही है। धर्मका कार्य हिंसा करना नहीं है । धर्म तो रक्षा कर सकता है। लेकिन हिसा पर जो लोग उत्तर गये हैं उनका मुख्य उद्देश्य खालिस्तान स्टेट कायम करना है। यह भारत एक व्यमं निरपेक्ष राज्य है। धर्म के नाम पर, आति के नाम पर, भाषा के नाम पर, वेदीयता के नाम पर जो अलग राज्य कार्यम करना चाहते हैं या हमारी **शबं**डता पर डायरेक्ट ब्रटेक करना चाहते हैं, जितनी जल्दी हो सके सरकार को उनको क्चल देना चाहिए। जो हमारी ग्रबंडता पर डायरेक्ट या इनडायरेक्ट घटेक करना चाहते हैं उनको कुचलने के लिए सरकार ने यह कदम उठाया है। इसलिए विरोधी पार्टियों को सरकार को धन्यवाद देना चाहिए। जैसा सुलतान सिह जी ने कहा राष्ट्र के हिस के लिये, राष्ट्र की ग्रखंडता के लिए, राष्ट्र की सुरक्षा के लिए यह विधेयक लाया गया है। इसकी हमकी, अपको तारीफ करनी चाहिए। बाप लीगों की भारत बन गई है कि सरकार जो भी अच्छा कान करेगी उसका विरोध करना ही है। आपको कन्फ्रन्टेशन टकराय की नीति है। इस नीति को आपको छाड देना चाहिए ग्रीर देश के हित में जो कानून बनता है उसका तहेदिल से समर्थन करना चाहिए।

उपसमाध्यक (श्री दिनेश गोस्वामी) : ब्राप ग्रव समाप्त करिये।

श्री राम भगत पासवान : एक दो मिनट और लूंगा ।

उपसभाष्यक्ष महोदय, यह जानकारी मिली है जैसा पेपरों में देखने को मिलता है कि कुछ आतंकवादी लोग विदेश से काश्मीर के रास्ते ते घा रहे है और निहंग लोग जो है उममें आकर मिल जाते हैं। ये लीग यहां पर ग्रातंक फला रहे हैं। में सरकार से प्रायत करूंगा कि अगर ऐसे लोग हैं तो वह उनकी जानकारी प्राप्त करें भीरे यह देखें कि उनका घर कहां हैं, वे लोग कहां से भाएं हैं, केसे भाए हैं। उनकी जानकारी प्राप्त करके उनको प्राईटीकाई इस किये जायें। इसके साथ हो यह भी जानकारी मालूम करें, यह भी पता चला है कि काश्मीर में राष्ट्र बिद्रोही लोगों को ट्रेनिंग दी जा रही है। इसकी भी जानकारी होती चाहिए। जिस प्रकार से भापने पंजाब में प्रेजीडेंट रून जारी किया है उसी तरह से कांश्मीर में भी प्रेजीडेंट रूल कायम कर दिया जाए। में आग्रह करूंगा कि सरकार को यदि काश्मीर में ऐसा हो रहा है तो उसको भी भंग कर देना नाहिए।

उपसमाध्यक्ष (थ) दिनेश गोस्वामी)ः धन समाप्त करिये ।

श्री राम भगत पासवान : इंदिरा गांधीं के नेतृत्व में हमारा देश प्रमति कर रहा है। लेकिन हमारे कुछ पड़ीकी देशों को यह अवस्था है । वे लोग किसो न किसी तरीके से डिस्टरवेंस किएट करना चाह रहे हैं और अशांति पैदा करना चाहते हैं। इसलिए यह जो बिल हैं यह उपवादियों के लिए, प्रतिक्रियावादियों के लिए, प्रातंकों वादियों को कुचलने के लिए लाया गया है। इसलिए में इस बिल का तहेदिल से समर्थन करता हूं और माननीय गृह संजी जो को इस के लिए धन्यवाद देता हूं।

SHRI M. KALYANASUNDARAM (Tamil Nadu): Sir, I stand to oppose that three Bills as they are very dangerous anff wilt not help the Governmeat to restore normalcy in Punjab and to win over the people of Punjab in the task ahead. That dots not mean that I under-estimate the danger to the security of our country. Can the powers that are sought to be taken through these three Bills, particularly the powers to be given to the armed forces, be enforced without the risk of being called as martial law? The powers resemble that

of martial law. Do you have a General who will behave like that?

6 P.M.

Will that not percolate among the army? Will it not undermine the secularism and patriotism of the armed forces? These Bills are not conducive to preserve our democratic system. It will be all right Jor a military dictatorship like what they have in Pakistan.

AN HON. MEMBERS: Zia-ul-Haq.

KALYANASUNDARAM: M. Hvcn he is not allowed to rule in peace. It is a strange irony that we have to discuss these Bills at a time when the (ommonwealth Heads of Government are meeting in our capital. What will they think? Punjab had a glorious tradition, more than the Golden Temple, that is Tallianwallabagh, where Michael O'Dwyer massacred people. The sacrifice made by those people is written in golden letters and that place is looked upon as a shrine of our national struggle for freedom. Those were the days. And the names of General Dwyer, the then Governor of Punjab and Michael O'Dwyer, who ordered the massacre, have gone into history as the most brutal people. No doubt the activities of the extremists are very brutal. They have to be dealt with severely. 1 won't hesitate in that, but how to do it?

Who are responsible for allowing situation to drift like this? Whenever may be their differences with the ruling party, no party should hold a brief for external forces which are threatening on our borders with the most sophisticated of weapons. But, at the same time, the ruling party should not imagine that alone are capable of finding a solution to this problem. Every day it is becoming more and more serious. Today it is more than 45 days since President's rule was proclaimed there. What is the improvement they have shown? Everyday there is recent killings were deterioration. The ilone in such a manneT as to provoke communal tension throughout the coimtry. It is clear that there is a purpose behind fomenting these killings. How to tacfcle these problems?

I would equally blame the rutins Congress at the Centre and in the State are there for the past two and a half years. The leadership of the Akali Dal also should bear the responsibility for this situation. They are blaming the opposition parties. 1 ask them, what was attitude of the Congress in the State inside when such a serious threat was there, just in front of their nose, on the borders? Were they not quarrelling, were they vying with each other for appeasing extremists? And, at least a section of the Congress was trying to appease these extremists, underestimating the danger. There are other forces in this country who would even welcome it and who are unhappy that our Government is pursuing a policy of non-alignment, world peace and disarmament. But our country is still sticking to the Simla Pact though Zia-ul-Haq has thrown it to the winds. So, that is a danger, no doubt. But, will these Bills give you the strength to act and the will for our administration to act? And to use them? WhaJ will happen if more and more people are It will be counter-productive. An ordinary Jamadar or Havildar can shoot anybody. He can go anywhere and seize any thing. While I am prepare to declare unhesitatingly the Golden Temple as a sacred place-we are prepared to associate ourselves with the Sikhs to treat it as sacred -however sacred it may be, can it become a centre of parallel government, can become an abode of harbouring antinational terrorists who will ultimately become treacherous to our country? Is this the purpose for which the Golden Temple was built and worshipped? At may ask whether you same time, you should be given the powers to enter the Golden Temple to apprehend the culprits. I would say, you should not. That wont help us. to solve the problem. My has been warning the leaders of the Akali Party that they should not harbour these extremists and they should dissociate themselves from the extremists. I that slowly they are realising that. Today's statement of Longowal should not tre treated lightly. He has condemned in a forthright manner the killings by these people and has also appealed to the Sikhs to come to the rescue of the people. It Va welcome step that he has taken. But

443 Statutory Resolutions [RAJYA SABHA] concerning *Punjab* 44 and Bills and Chandigarh

[Shri M. Kaiyanasundaram]

that is not enough. The Akali leadership should categorically tell the nation, because of the worsening situation; that they are stopping all their agitations; they must declare a moratorium to all their morchas and all those thing. Then alone will the extremists be isolated. (Time bell rings) I do not want to take more time of the House. I would ask: What happened to the tripartite conference, including the Opposition and the Akali Dal? Call that conference as quickly as possible. The Opposition parties will be able to help you to reach .1 political solution. If any section of Punjab refuses to accept that, then alone will they get isolated, while filling confidence in our people. See how it was responded to, how the people of Punjab, Haryana and Himachal Pradesh have come out, although the call was not given by all secular forces. If all the secular forces in the country had joined together and roused the nation against this danger, I would see which force in Punjab or elsewhere went against that force. That is the force you should really have, not the force of the Armed Forces. The Armed Forces can have the powers' but they cannot implement them. The force of the people alone will succeed. Congress (I) should not hesitate about it. Even now the Election Commission has recognised you as the Indian National Congress. The people also look forward to your party as the inheritor of the Indian National Congress. It had a common platform during the days of the freedom struggle. Again we are in a situation similar to that. Should you not lead the nation and try to bring all the secular forces together so that communalism can be kept under check? The dancer is that communalism is likely to spread. On the oneside the Vishwa Parishad is carrying on Yatra and on the other, these people are killing innocent people. It can spread the virus of communalism. Such is the danger. Don't imagine that Congress (I) alone will be able to find a solution. That is why I would still urge upon the Government to call a conference. Take that correct step. I do not want to go into details of the demands, how they can be solved. That can be discussed later

SHRI SANTOSH KUMAR SAHU (Orissa): Mr. Vice-Chairman, Sir, I stand with a heavy heart to support this BUI. I am sure the hon. Home Minister would have come with much thought over this Bill because in any normal situation he would have never come before this House with the Bill

" Sir I am not very much conversant with the Punjab issue. What has come in the newspapers, if we go through, the law and order situation has deteriorated very much. Yesterday I have seen "The Times of India" where it has hxu pointed out that the extremists were still at large. That was the headline. It said that a bus was hijacked. The persons were offloaded. One Mr. Ajit Singh saved a person whose name was Harbans Lal, a shop-keeper of Makoh. He pleaded with the extremists that he was taking him with him. So who is responsible? Tliat is a big question. These things are happening. And this is happening from the murder of Lala Jagat Narain. Today Mr. Longowal who is the leader of the Morcha and Akali Dal has condemned this. Now these things have come out in the Press. But I will only quote the editorial of the "The Indian Express" today. It has said like this:

"The Akali Dal denounced the DM-wan killings and will doubtless dissociate itself from the latest massacre too. It is quite possible that Naxalites, Dal Khalsa secessionist and various other elements are staging the murders to stir up communal trouble to were their own purposes. But Akali prote tions of innocence do not carry credibility with an increasing number of people."

and Bills

The editorial says this. It is not my intention. It is "The Indian Exptess" which has said this in the editorial to-

"Ranjit Singh, wanted for the murder of the Nirankari Baba, has been seen recently in the Golden Temple. The Secretary of the Dal Khalsa is safely easconsed there. Instead of handling over wanted men, whose, names have been supplied, the Akali leadership blandly denies their presence in the Golden Temple."

God knows the truth.

Now, the question is, the Home Minister has said in the other House that he was willing to call a tripartite conference. My humble suggestion is-it has taken a very colossal and serious proportion—let us not keep all the eggs in one basket. The first thing is that the religious question should be decided separately. On the political questions like the boundary dispute, the water dispute, there must be a conference of the concerned parties. If we mingle the political question with the religious questions, it will never end, and if wiH never bring happiness to Punjab or solve the national problem. The political issues are created for political osportunities which create problems and vitiate ihe atmosphere.

Now the question is like this. Yesterday I was reading that the Guru Nanak's Birth Day was celebrated in Amritsar, in which every community participated. We also know that Guru Nanak in history was a great religious saint. He not only preached religion in Punjab, but he even went to Lord Jagannath at Puri because he was a liberal leader also and he preached tolerance of religion. Let us learn from the history of India. Whenever there was religious tolerance it was a golden age. Ashoka who tolerated every religion preached non-violence, was a great apostle in ihe whole world, and India had a golden age. Harsha Vardhana preached religious tolerance, and there was a golden age. Even Akbar was a great emperor who preached religious tolerance, and the country prospered. Let us learn something from the cultural history of India. This is from the ages of Vedas and Upanishads. We hav© preached it for the happiness of all mankind. Sarve bhavantho sukihnou. So, in any way if we go back from this, it will just create problems.

concerning Punjab

and chandiaarh

Many of the hon. Members from the other side have pleaded seriously that for the solution of these things there should be a conference. But, Sir, I appeal, this is not only a question of Congress (1). If these people are also thinking of this pioblem, let them all say what the solution is. If they can announce it probably the political will will also go with them. But let us not try to confuse and blame each other. It does not help in understanding the problem and bringing a solution. And whatever the things may be, we have to say that this culture ot violence of these extremists, by which innocent people are killed cannot be tolerated in this country, and if we mix the religious demands and the political demands, probably we are going against secularism which has been propounded in modern India in our sacred Constitution. Arid we will go back in history if we go on intermingling all these questions. My first point is that the religious question.. ;is has been declared by the Prime Minister, should be dealt with separately and the boundary question should be settled by discussions with the concerned parties. Is there any region where there is no boundary question? There is a boundary dispute between Maharashtra and Karnataka. And in water disputes many States are involved. When these questions are raised, the concerned States hava to settle it by discussions. It cannot be dono by violence, by force. It cannot be that one party will gain over the other. India must be taken as a whole. So I appeal through you that it is not a question of mud-slinging at each other. This is a grave situation. We do not know who the terrorists are. Mr. Mohunta has said that some people are trained in foreign countries and we are not able to catch them. But if they are coming from the same place, the local people must be knowing

and Chandigarh

I Shri Santosh Kumar Sahu J

ihcm. It shouJd be possible for them to pinpoint the persons. I think in this Bill the people should have been given more powers. There must be a section after section 5 as section 5A that in the interest of checking violence and communal tension in Punjab, they will have the right to destroy arms dump and training camps and immediately inform the police, because everybody is condemning it. The Opposition is condemning it, the Akali Dal is condemning it. And yet how are they moving about in Punjab? If the police are roliticalised[^] they cannot be efficient. Mr. Longowal has himself asked: if those persons were dragged out from the bus, why couldn't all the passengers cooperate and protect them? So this is the crux of the problem. So 1 appeal to evereybody, because of the strategic reasons, to consider (he question very calmly, coolly and treat (he issues separately. Let us not mix religion with politics and let us reward the Nihang who saved the life of a Hindu and rn'came the idol of the whole nation.

SHRI KHUSHWANT SINGH (Nominated): Mr. Deputy Chairman, Sir, I would like to draw the attention of the Home Minister to an incident which took place in Haryana which, I think, has a nearing on the situation in Puniab and from which we can draw certain conclusions. Mr. Home Minister, you are no doubt aware that between the 7th and J Oth of October, there were anti-Sikh riots in Yamuna Nagar, a town which has a long history of communal harmony. You have also no doubt received the representation made by the Sikhs of Yamuna Nagar. It was presented to the President the Prime Minister yourself and the 'Chief Minister of Haryana. What is significant about this incident and the repre-M-ntation is the fact that the leader of the delegation which made it is an old, wellknown freedom fighter, Baba Daaunda Singly who has been in jail many limes and is currently the other leader of the Congress—I parly. And people who signed this representation, all Sikhs, are also all members of the Congress-I party. Their allegation is that a meeting that took 'place on the 1st of October when Mr.

Virendra came from Jullundur and made an inflamatory speech which was followed by violence on the 7th. The mob which attacked the Sikhs' property and life, which 43 people were injured, one killed and over Rs. 12 lakhs worth of property was looted or destroyed consisted of members of the Hindu Sammelan was led by a man who is the leader of the Congress-I party. With them there many other officebearers of Congress I. Their names are listed in the representation. The leader was a retired Wing Commander of the Air Force and at present head of Congress-I. The representation also states that the mob was armed with "Trishuls" and that there are a large number of such trishuls currently available in Yamuna Nagar. It is not my object to accuse the Congress-I. All I want to say is this issue has now ceased to be political and has become a communal. It is Congress-I Sikh versus Congress-I Hindus or generally Hindu vs. Sikh because amongst the things destroyed were sacred books, Gutkas of the Guru Granth. This is what I feared. I expressed my fears earlier that this contagion is spreading and is going to spread further and I fear more is yet to come of the Hindu backlash. It is inevitable when crimes are committed by people who appear to be Sikhs, will be a Hindu backlash. There is tension in Delhi. It has already exploded into violence in your own home-town, Indore. We are all very concerned about What we have to do is to stem this communal virus in Punjab and prevent it from spreading to the rest of It is on this score that I am not quite certain whether the Ordinance that you have passed is the right answer. I feai and I suspect that it may prove counterproductive and may boomerang. You have armed the police with enormous I am told that powers of search. are combing village after- village for illegal arms and suspects. This is the function of the police as they must catch culprits. But. Mr. Home Minister, is it not obvious that in the process of so doing. since the terrorists and extremists are Sikhs, the police is bound to search only the houses of Sikhs? It stands to reason that in villages the feeling of discrimina tion is going to spread because police attention will be focused only on Sikhs

leaving out the Hindus. And Sikhs, at least a section of them, who already feel that they are being discriminated against, will feel even more discriminated against, and we may get into the same situation which took place during ASIAD when your foolish Chief Minister of Harvana ordered the search of every single Sikh coming to Delhi. It is Jhat kind of a situation that we should try to avoid. I don't think that this Ordinance which empowers the police, to go into homes and search—and inevitably when the police will only search Sikh homes thereby create a further cleavage between the two communities—is going to help. It must be quite obvious to you by now that the answer does not lie in guns but in goodwill. 1 don't see how you can create goodwill with guns, and that also with guns in the hands of the police. There will be retaliation. The only way you can create goodwill—and I repeat it for the 9th time,—is for you to re-open negotiations with the Akalis and come to a settlement; otherwise, the entire country will have to pay a very heavy price for your dithering over the situation in the Punjab. Thank you.

SHRI V. GOPOLSAMY: Mr. Vice Chairman, the situation in Punjab is so alarming and grave that the people throughout Punjab are trembling in panic and fear. I condemn in the strongest terms this dastardly attack and killing, the heinous crime of killing ihe passengers in buses, and so on. This is the second incident. Passengers in the trains also have been killed. So far about 160 violent incidents have taken place in which one DIG, three Inspectors, four Sub-Inspectors, six Head Constables fifteen policeman, more than 35 Nirankaris and about 15 innocent Hindus, have been killed, I share the grief of those widows who have lost their husbands, the mothers who have lost their sons. But the Akali leaders also have stated that in the name of police encounters, 150 Sikhs have lost their lives. About 1,50,000 Sikhs have courted arrest in the course of the morchas they have undertaken. Now, you have armed the Police with special powers. These draconian provisions are before the House now. These provisions, if passed. wiH

definitely arm the Police and tne Armed Forces. But the Police force is already a spoilt force. Their image has been spoiled. T quote from the Indian Express of November 8, 1983 where, Rear Admiral Salyindra Singh (Retd.) has written as follows under the caption: Punjab; Failure of Intelligence: He says:

As an editorial in this paper said (Sept. 9), it is a grave matter when the police file an FIR against a Minister in a murder case. It is even graver when the Minister in question accuses the Chief Minister of engineering this situation as part of a political vendetta against dissidents in his party. Another comment (Oct. 26) said: Rightly or wrongly, the impression has gone round that one can commit murder and get away with it if one has the right type of contacts. The admission of the Director General of Police, Punjab, before the State Estimates Committee last March is another case in When questioned about the mysterious disappearance of a well-to-do lady from her house in Nabha a year earlier, stated that the accused involved in the case were very influential and that was the biggest drawback. Thus one can get away with blue murder if one has influence. Another distinguished policeman also a member of the National Police Commission has recorded that no separate statistics have been compilon politically motivated murders. This is the image of the Police in Punjab. The local intelligence has totally faliefl. Now you are arming the Police and the Armed Forces. Unless you get the prompt cooperation from the local police and intelligence, your combing operations will not succeed. You have experimented with it in Mizoram. The Police force is already spoiled force and some of the officials do not itake serious interest because many have been promoted in total and merit. Now, disregard to seniority the Congress(I) Government or Party cannot blame the opposition. The opposition was always ready to cooperate with the Government on this issue. For example, they said that the river water dispute between Punjab and Haryana should be referred to a tribunal under tho Inter-

[Shri V. Gopalsamy]

State Water Disputes Act. 1 think the Government also have agreed to this. But why you have delayed this? Why you have not referred to the tribunal so far? Chandigarh should be transferred to Punjab and Haryana should be compensated for this. It should be on the basis of give and take.

. SHRI SULTAN SINGH: Why not give Fazilka to Harvana?

SHRI V. GOPALSAMY: There are territorial wrangles and to solve this problem bring Akalis to the negotiation table. You cannot blame Akalis. If you do that, I would warn you that the extremists will outwi; tha moderates. They are already taking the wind out of the sail of moderates. That is going on. Bhindranwala is attracting more crowds than others. The extremists are gaining more and more momentum and strength. Bring them to the negotiation table and talk to them and find a political solution. The appearance of Armed Forces and Police particularly in Punjab will create disgust revulsion and hatred. Already polarisation of communities has taken place among Hindus and Sikhs between whom '.here has been blood relations for centuries. But the polarisation has taken place and there is a charge, there is a feeling, that for its own political ends, the Congress Party which is in power, is trying to keep the pot boiling because they can get the Hindu votes since the Hindus constitute 48 per cent of the population and they can get their support. That is why they keep the pot boiling there and so, such disturbances are going on.

Sir, the Sikhs have a very rich heritage and they have a history of valour and Mr. Kaiyanasundaram was sacrifice. referring the Jallianwalabagh massacre. When General Dyer gave the orders, guns roared and hundreds were killed and,' Punjab gave birth to Udham Singh who avenged these killings, this massacre, later. It gave birth to Bhagat Singh. It is the very same Punjab which gave birth to Rajguru and it is the very »ame Punjab

which gave birth to Sukhdev and it is the same Punjab which has given birth to other revolutionaries. The leaders of the Akali movement have condemned tha killings. Not only that. They have participated in the hartal there and they have also appealed to the people. They ready to take part in the joint peace marches and peace meetings. So, I would request the Government to take this gesture in the same spirit and to arrange for joint peace marches and joint peace meetings because they have also condemned stich sort of killings. I would like to appeal to the Akali leaders and all those who are interested in the movement: Give a command to th: Sikh people to tell those who are indulging in this sort killings that he is not a Sikh and that i'- is anti-Sikh act, it is an anti-national act. You should give this sort of command to those people. When they that they cannot be browbeaten, you see, there is history behind it. Even during this earlier days, when Banda Bahadur of Punjab was chained and taken in the streets they never surrendered; and even when two thousand heads were put on the spearheads and paraded in the streets Delhi, they never surrendered. They never surrendered, but they only sang a song... {Time Bell Rings) saving that they were born as Sikhs and that were not afraid. Such is their temperament and such is their sentiment and is in their blood. History also shows that, when Ranjit Singh was ruling, when prisoners were paraded in the streets Lahore, they were for communal tolerance and religious tolerance only. He gave orders to his generals not to harass any individual belonging to the Muslims or the opposing forces. Such were their sentiments. Not only Guru Nanak, but also the Tenth Guru of the Sikhs, preached communal harmony and tolerance. They are not for violence and they are not for killings. Before I conclude, Sir, I would like to request the Government to do one thing. Last time also, when I took in the discussion on the same subject, the

same request I made: You take into account the Anandpur Sahib Resolution wherein Mr. Tohra has said that iq a true federal framework the Sikh nation, the Sikh nationtlity, all nationalities, all national minorities, even tha tribals, can live in harmony and keep their identity intact and inviolate. So, that is the spirit and that is the true spirit. Otherwise, if you don't take into account their sentiments expressed in this Resolution, then there is a warning, and do not fail to see the writing on the wall. Here it is and I am quoting it. I am quoting from the "Tribune" of the 5th October 1983 from the article of Mr. Satindra Singh. He says about Longowal who is a great moderate leader, and he says:

"Asked about future developments, the Akali chief said in a mournful tone that judging by the way things were moving, there was undoubtedly a grave threat to the integrity and sovereignty of the country. Without the immediate reversal of the present policy of the Union Government, he would not be surprised, he said, if a sovereign Sikh State came into being by 1999; the fourth centenary of the founding of the Khulsa order."

" 'The date is significant' he said with quiet desperation. In 1699; the Tenth Guru created the Khalsa. In 1799, Maharaja Ranjit Singh occupied the throne of Lahore. In 1899 the Sikhs of the canal colonies, now in Pakistan, for the ' first time in India wrested some major concessions from the British rulers. In 1999, the Sikhs may well carve out a State of their own if the present-day rulers do not care to read the writing on the wall and accept the Anandpur Sahib resolution."

VICE-CHAIRMAN DINESH GOSWAMI): Would you kindly conclude now? T think everything has been covered, (Interruptions) Mr. Dhabe. Please be brief. It is already 6.35 and we have still got two or three more speakers.

SHRI SHRIDHAR WASUDEO DHA-BE (Maharashtra): This question of Punjab Disturbed Areas Bill and the Armed Forces (Punjab and Chandigarh) Special Powers Bill should not be looked upon only from the angle of the situation in

Punjab. It is the first time in our history probably that Government has come up with a proposition to give powers, special powers, to Armed Forces. The other Bill ia the Punjab Disturbed Areas Bill. It clearly shows that it is a violation of the fundamental rights. It is against the constitutional provision 19, about the liberty of the individual and protection. So I would like to ask, is it justified? As was rightiy, said by the Opposition, giving of special powers to the Armed Forces is going to land the country into a jeopardy. Tf the Armed Forces are allowed to have a say in the civil administration, then there will be a great danger to our democracy. Therefore, I wiH request the Home Minisiter to seriously consider withdrawing the Bill about giving special powers to Armed Forces. It is not going to help the country. Neither can you solve the problem of Punjab. Clause 4 of the Bill

if he is of opinion that it necessary so to do for the maintenance of public order, after giving such due warning as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons or the carying of weapons..." Even if there is an assembly of five or more persons, just like promulgation section 144, the Home Minister has given the powers to police officers to fire. Therefore, a peaceful demonstration any type will be prevented in Punjab. This sort of provisi&ns is there in the Criminal Procedure Code. The Sikh's are entitled to carry 'kirpans'. These powers may be misused. Very wide powers have been given. And there is the other thing, firearms and ammunition. Sir, these powers can be exercised under the ordinary law. I would like to ask the Home Minister whether these powers cannot be exercised under the Criminal Procedure Code by bringing fin section 144 into force in the Punjab disturbed areas. To give such powers to police officers or to a subordinate officer like a

[Shri Shridhar Wasudeo Dhabe] magistrate, to fire and kill persons, will mean an end of individual liberty and

individual rights.

Then, Sir, the Home Minister has given in the statement that Government has no confirmed evidence with regard to foreign interference. Therefore, if military training is taking place in Punjab it must be demoestically. Why is it not possible to prevent i,t under the ordinary law? Where is the necessity for having extra powers? Even today if theje is a riot the police can fire. And firing has taken place in Delhi yesterday: Therefore, when the Government itself says that there is no confirmed evidence with regard to foreign interference, where is the need of this legislation at present?

Sir, the most important question which has been raised by my friends, Shri Singh and Shri Kaiyanasun-Khushwant daram, is that Central forces are not being strengthened by the Government... (Time Bell rings). The main problem of Punjab should not be looked at from the point of view of Sikhs and Punjabis. Now, everybody in Punjab, whether ha belongs to the ruling party or opposition, wants that Chandigarh should be given to Punjab. There is the similar problem in Maharashtra and Karnataka. Maharashtra wants Belgaum and Karnataka says no to it. The Congressmen in Punjab support that Chandigarh should be given to Punjab. It is the same thing with regard to the territorial disputes or water disputes. For God's sake and for the security of the country and for communal harmony, - 1 would request the Home Minister and others not to give it a colour as if ijt is a fight between the Hindus and the They should have a proper administration and police force. Lastly, I would like to say thait the remedy which has been proposed by the Minister is worso than the disease. Disease is different. Therfeore. I am totally opposed to this Bill. 1 would request the Home Minister withdraw them.

SHRI V. N. TIWARI (Nominated): Mr. Vice-Chairman, Sir, with a very heavy heart, I am supporting the motion of the Home Minister regarding Punjab anil

Chandigarh Disturbed Areas Bill, 1983. Like all Membres I believe in people's govrnment. But Punjab situation for a couple of years has been such that Punjabis now are interested in peace by any method they get it, whether through, popular Government or through central rule. Today, it is not the time for me to talk of the demands because we have been discussing (hese demands in this Houss for quite some time. I will only draw the attention of the hon. Home Minister to certain facts. Since we are having central rule und more powers wilth the Government, may I request, through you, that Deputy Commissioners be asked immediately to involve all the political parties in peace efforts? I find that it is now being run purely at administrative levels and all political workers, secular and democratic forces, who want to fight out these things are not being ,taken into confidence. Ths Government must take their support in this venture.

As I said, 1 will not talk of the demands today. I wil! not be blaming today the infighting of groups or political parties or anyone. But I want to draw the attention of Ihe Home Minister with Iat ot respeci and with lot of authenticity at my command that Punjab is passing through a crisis not because of political problems, bu; because of certain religiou:; commitments and that too not of one or two or three years but of 5 years.

Certain people took pledges and did aidas that they had to kill certain persons. It is a religious commitment. They are the Akhand Kirtant Jathas and the Nirankaris. I would urge upon ths Home Minister to settle these religious tensions. Even if you soil out the political problem, the crisis will not be over. I know Punjab history and the Sikh tradition. Till that settlement is made, we may not have peace in Punjab and such incidence and activities may be repeated in one form or another.

> 1 have been talking in this House and of the invisible hand which has been disturbing Puniab. Sir. the time has comj when all are convinced about it. We have been asking the Government to pro-White Paper about it so that cer-

tain faqls which we know are made known to the entire country, that is, that these imperialist forces do not want India to be united. We want to demolish, their designs. The facts must be told to the people if you want to fight out this hattle

Sir, through you, I want to make a submission to the Central Government, Punjab must be immediately provided with more money for development purposes because their funds are being exhausted in law aid order. Until and unless you divert the energies of ,the people in developmental work, you will never have peace because on the one hand you are facing the law and order problem and on the other, if development is not there, the psychological tension in Punjab will increase and it will not decrease. Therefore, considering the probem of Punjab in the last few years, Punjab must be provided immediately with grants for development purposes, apart from facing the law and order situation. Sir, it is a fight between theocracy and democracy. Let us rise above party politics and fight out tha theocratic forces who draw their inspiration from fundamentalism and the influence of Khomeini in Iran. If we want to really destroy their designs, we have to be one rather than parties or groups in this matter. If democracy does not remain in this country, no political party will ever be in a position to rule this country. Sir, like others, I condemn the murders of people in Punjab. I am pleased at one thing, and I want the Government to give a gallantry award to the Nihang S. Ajit Singh who saved the life of a Hindu at the risk of his own life because when communal frenzy is at its peak, to take the risk of your own life is something which should be appreciated by the Government and a gallantry award must be announced so that others also would draw inspiration to save the life of people in Punjab.

Lastly, Sir, I would submit that the Central Government suspended the Assembly in Punjab. Tha Party Government compelled its own party Government to leave the reigna of Government. What more seriousness is required to

show that the Central Government is keen ,to have peace in Punjab? Therfeore, I will appeal to my Opposition friends, and I appeal to my Akali friends also that violence is not in their interest in Punjab because it is only through goodwill of Hindus that they can ever rule Punjab. My friends were mentioning that whenever they come into power, they come through the goodwill of BJP or Bhartiya Jan Sangh. Therefore, if Akalis ever think of ruling Punjab, they must condemn violence, and they must wash their hands off from this thing so that the terrorists or the fundamentalists are fought by all who can ruie Punjab whether by turns or for a longer period. Therefore, I support this Bill because Punjab requires at this moment peace more than party politics or ruling by this party or that party or by inviting other parties. Thank you, Sir.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Mr. Vice-Chuir-111;.,1. Sir, it is a strange coincidence that the debate on Punjab is taking place- at a time when the Birth Anniversary of that Great Guru, Guru Nanak, who was an apostle or peace, who was an apostle oi' tranquility among religions, was being celebrated. Sir, exactly, one and a half months ago, the three Ordinances were issued. By rising above party politics, let U'o all calmly consider whether the situation has improved in these 45 days since Ii e Ordinances were issued on 7th October, 1983. We all are agreed that this has not happened. So, in effect, it means that whether these three laws are in the form of Ordinances or they are going to be enacted in Parliament and made Acts, the situation remains the sam*. Where does the solution lie? We, in Kashmir, have been always saying that we hava a vested interest in peace in Punjab. Our artery to the rest of the country is througr Punjab. Everything that comes to Kashmir comes through Punjab. So, we are deeply interested in peace in Punjab. But Mr. Minister, now you have been en forcing these laws for the last 45 days Have you achieved anything? No. I wou'd humbly te!! you that the solution lies in political solution to the problem. Now, the pther day while replying to the

[Shri Ghulam Rasool Matto] debate you stated that the doors of the Government are open. Does that mean anything? Why don't you invite thein formally? Why do you stand on prestige? Why don't you formally invite them to a conference and sit with them and you do not come out of the conference room till a solution is reached? I would beg of you in the name of this country in the name of integrity of this country, to very kindly ponder on this important issue and consider the question of inviting them formally, and not informally. Do not ask the opposition parties or any intermediaries. Send a letfSr" directly to Mr. Longewal, inviting him to a conference and then sit till a solution is obtained. The second point which I have to make, Mr. Minister, is with regard to these three Ordinances, which are going to be passed because of the majority that you should not under any circumstances use the provisions of the Armed Forces (Punjab and Chandigarh) Special Powers Bill. This is a very dangerous Bill. I have studied a recent book in which it was given as to how the martial law rule came to be a permanent feature in Pakistan. It was stated therein that with the Deputy Commissioners a Captain or a Major of the Army was associated. There was a tussle- between the administrator and the Captain or tha Major and eventually the army took over the administration of that particular district. I would beg of you not to use that provision. I would request you to keep this

Thirdly, Sir, you have made a statement the other day in this House with regard to the training camps in Jammu and Kashmir. I do not want to go into that controversy because I have written a letter to you in the matter and I have sought certain clarifications. I would ba obliged if you could kindly reply to the points raised by me in that letter so that there was some light thrown on the subject. But let me tell you one thin?. The Kashmiris, the people of Jammu and Kashmir, have taken a decision. You have to go into the history also. When the partition of the country took place, we voluntarily acceded to India. Tt was

Bill in suspended animation.

not by force under any compulsion that we acceded to India, and we have taken a decision that we will fight the extremists, whether they are Hindu extremists or Muslim extremists or Sikh extremists. We will be one with you in fighting these elements who indulge in these activities (Time Bell rings).

The last thing that I want to say is that Mr. Ram Bhagat Paswan stated and advised the Home Minister that he should impose the President's rule in Jammu & Kashmir. I know our Home Minister, he is a suave and a sober-minded person.

VICE-CHAIRMAN DINESH GOSWAMI): Mt. Matto, the Home Minister will not take any decision on Mr. Paswan's advice. Therefore, you may leave it at that.

SHRI GHULAM RASOOL MATTO: I may state that the people of Jammu & Kashmir have taken a firm decision in this regard that the people of Jammu & Kashmir will be ruled by their chosen representatives and nobody on earth can impose any rule on them, which is not supported by the people of Jammu and Kashmir

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Thank you, Mr. Matto

SHR1 GHULAM RASOOL MATTO: In the end, I again beg «f the Home Minister to kindly find a political solution to this problem; do not stand on prestige; call the Akali leaders to a conference; do not come out of it—as they select Pope and do not come out 6f the room till Pope is selected; similarly do not come out of the room-till they sign the agreement. On all the outstanding issues of Punjab. This is my humble request. This is a request from the people of Kashmir in which Mahatma Gandhi found a ray of light in this country. Thank you.

THE VICE-CHAIRMAN DINESH GOSWAMI): Shri J. P. Mathur, not here.

SHRI P. C. SETHI: Before I come to the actual Bills, I would express my deep anguish at the very sad incident that occurred on 18th November, 1983. My

461

heart goes out to the members of the bereaved families and I am sure the hon. Members will share these sentiments. I also trust that this hon. House would be one with me in appealing to the people of Punjab to keep in tact—as they always have-the bond of amity and brotherhood.

I would be making only one speech with regard to all these Bills because they arc being considered together. As the House is aware, the extremists and secessionist elements had been indulging in violence and illegal activities in Punjab and Chandigarh. Such elements killed not only marked policemen and Nirankaris biu also innocent persons in public places and in trains, buses, etc. Militant leaders had been inciting their followers to take to terrorist methods and encouraging illegal activities. Series of killings, use of explosives at congregations, attacks on innocent people had generated a serious sense of insecurity amongst the people. These events raised an apprehension of extensive disturbance to public peace and tranquillity and commissioning of capital crimes in Punjab and Chandigarh. They have been indulging in arson, murder, loot and dacoities etc. It has become necessary to adopt effective measures for the protection of the people in these areas. In order to enable the police forces and the armed forces to handle the situation effectively, wherever such problems arise hereafter, it has been considered necessary to enact these legislations.

This is a very simple measure and it only seeks to protect the steps that the police forces and armed forces might have to take in disturbed areas. It is not possible over such vast areas to depute civil magistrates to accompany the armed forces wherever there may be trouble, because it happens unexpectedly. They might intrude into any area, and action has to be taken immediately. The Bills only say that in any area which has been declared as disturbed area by the Central Government, the local Government, the police and armed forces may take steps in order to prevent the commissioning of the offence or in order to arrest the offenders. No power is transferred from the executive authority. The magistrates will be

there; the police is there. All other activities which are usually in the hands of civil administration will hereafter be in their hands. This is where it differs from the martial law where ,tf- entire administration is handed over to military and the civil administration does not re-

Even in cases where arrests are made by armed forces any person arrested and taken into custody has to be made over to the officer in charge of the nearest police station with the least possible delay, together with details of circumstances of arrest. The police has to deal with the matter; the magistrate has to deal with the matter, and there is hardly anything which calls for son of interference with the executive powers of the State. While those powers have been taken, these wiH apply to such paris as have been declared disturbed areas after due consideration of the situation in that area. We have been compelled to undertake such a legislation because of certain elements who did not take a reasonable view of jthings and they have been attacking innocent people. It is with a view to put and end to such wanton raids that these Bills have been framed. Ordinances had to be issued because it became urgently imperative and immediately neeessary. I can assure the House that we intend to use these powers with extreme caution and care and with greatest discretion. 7 P.M.

I hope these Bills framed to replace these Ordinances will be adopted by the House

{Interruptions}

SHRI SHRIDHAR WASUDEO DHA-BE: Has the Government issued any notifications under this?

SHRI SUSHIL CHAND MOHUNTA: Sir, there is one question which has been posed by me and several other speakers. The Government does not know · the extremists. They are not in a position to identify them. The CBI, the CID and other agencies have not been able to identify them. In such a case, who are the people against whom you are going to take all these steps? You say that powers have been given. Alright. But agains' whom you would use these powers? You do not know the person*-

463 Statutory Resolutions [RAJYA SABHA] arid Bills

SHRI P C. SETHI: These powers will be used against extrrmists and law-breakers.

(Interruptions)

SHRI SHRIDHAR WASUDEO DHABE: Sir, these Ordinances have been in force for about 45 days. The power is given under these Ordinances to issue notifications. I would like to know whether any notifications had been issued.

^(Interruptions)

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): You cannot make it a question and answer session.

SHRI P. C. SETHI: Whatever may be "^.e area, when the Punjab Government feels it necessary, they will issue the notification for that area.

1 HE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): I shall now put the Resolution to vote.

(Interruptions)

SHRI M. KALYANASUNDARAM: Sir, there is only one point. Several Members from this side have urged upon the Government to place a white paper before Parliament, detailing, giving details, so that the conscience of the nation....

THE VICE-CHAIRMAN (SHRI; DINESH GOSWAMI): This point has been raised earlier also.

SHRJ M. KALYANASUNDARAM: He has not replied to many of the points which have been raised by hon. Members from this side.

(Interruptions)

THE VICE-CHAIRMAN (SHRl DINESH GOSWAMI): I do not think, this question comes up. I shall now put the Resolution to vote: The question is;

"That this House disapproves of the Punjab Disturbed Areas Ordinance, 1983, (No. 5 of 1983) promulgated by the President on the 7th October, 1983." *The motion was negatived.*

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): I shall now put *the* amendment of Shri Shiva Chandra

concerning Punjab 464 and Chandigarh

Jha to vote. The question is:

"That the Bill to make better provision for the suppression of disorder and for the restoration and maintenance of public order in disturbed areas in Punjab, bo referred to a Select Committee of the Rajya Sabha consisting of the following members, namely;—

- 1. Shri R. R. Morarka
- 2. Shri Biswa Goswami
- 3. Shri Shridhar Wasudeo Dhabe
- 4. Shri Sankar Prasad Mitra
- 5. Shri G. C. Bhattacharya
- 6. Prof. Sourendia Bhattacharjee
- 7. Shri Suraj Prasad
- 8. Shri R. Ramakrishnan
- 9. Shrj Rameshwar Singh
- 10. Shri Hari Shankar Bhabhra
- 11. Shri Kalraj Mishra
- 12. Shri Dipen Ghosh
- 13. Shri Nepaldev Bhattacharya
- 14. Shrimati Mohinder Kaur.
- 15. Shri Shiva Chandra Jha

with instructions to report by the first week of the next Session."

Tlie motion was negatived.

THE VIC!: CHAIRMAN (SHRI! DINESH GOSWAMI): I shall now put the motion moved by the hon. Minister to vote. The question is:

"That the Bill to make better provision for the suppression of disorder and for the restoration and maintenance of public order in disturbed areas in Punjab, as passed by the Lok Sabha, be taken into consideration."

The motion was negatived.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): We shall now take up the clause-by-clause consideration of thu Bill

Clauses 2 to 1 were added to the Bill.i

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI); We shall not take up clause 1. There is one amendment by Shri Kaiyanasundaram.

465 Statutory Resolutions [21 NOV. 1983] and Bills

SHRI M. KALYANASUNDARAM: Sir, I beg to move;

"That at page 1, line 6, *after* the word and the figure 'October, 1983,' the words "and to remain in force one year' be inserted."

Sir, I only want that this period should be restricted and it should be only for one year. Why does he not accept it?

SHRI P. C. SETHI: I am not accepting.

IHE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): I shall now put the amendment to vote. The question is:

"That at page 1, line 6, *after* the word and *the* figure 'October, 1983,' the words 'and to remain in force for one year' be MiseKed."

The motion was negatived.

MR. VICE-CHAIRMAN (SHRJ DIN-ESH GOSWAMI): I shall now put clause 1 to *vote*. The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Enacting Formula and the Title were added ■ to the Bill.

SHRI P. C. SETHI; Sir, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): We shall now take up the second Bill. The Chandigarh Disturbed Areas Bill, 1983. First, T shall put the Resolution moved by Shri Jagdish Prasad Mathur to vote. The question is;

"That this House disapproves of tht Chandigarh Disturbed Areas Ordinance, 1983 (No. 6 of 1983) promulgated by the President on the 7th October, 1983."

The morion was negatived.

11 so PS—ifi

concerning Punjab 466 and Chandigarh

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI); Now I will put Mr. Shiva Chandra Jha's motion for reference of the Bill to Select Committee, to vote. The question is:

"That the Bill to make better provision for the suppression of disorder and for the restoration and maintenance of public order in disturbed areas in Chandigarh, be referred (to a Select Committee of the Rajya Sabha consisting of the following members, namely:

- 1. Shri R. R. Morarka
- 2. Shri Biswa Goswami
- 3. Shri Shridhar Wasudeo Dhabe
- 4. Shri Sankar Prasad Mitra
- 5. Shri G. C. Bhattacharya
- 6. Prof. Sourendra Bhattacharjee
- 7. Shri Suraj Prasad
- S. Shri R. Ramakrishnan
- '-'. Shri Rameshwar Singh
- 10. Shri Hari Shankar Bhabhra
- 11. Shri Kalraj Mishra
- 12. Shri Dipen Ghosh
- 13. Shri Nepaldev Bhattacharya
- 14. Shrimati Mohinder Kaur
- 15. Shri Shiva Chandra Jha

with instructions to report by the firs week of the next Session."

The motion was negatived.

THE VICE-CHAIRMAN (SHR DINESH GOSWAMI); Now I will pi the motion.

The question is:

"That the Bill to take better pro\sion for the suppression of disorder ai for the restoration and maintenance 1 public order in disturbed areas Chandigarh, as passed by the Lt Sabha, be taken into consideration."

The motion was adopted.

467 Statutory Resolutions [RAJYA SABHA] and Bills

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 7 were added to the Bill'

Clause—1

SHRI M. KALYANASUNDARAM: Sir, I move:

"That at page 1 line 7. after the word and figure 'October, 1983,' the words 'and to remain in force for one year' be inserted."

The question was put and the motion was negatived.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The question is:

"That clause 1 stand part of the Bill."

Clause 1 was added to the Bill.

The Enacting Formula and the Title loffl'e added to the Bill.

SHRI P. C. SETHI: Sir, 1 move;

"Tha? that Bill ba passed."

The question was proposed and the motion was adopted.

THE VICE-CHAIRMAN SHRI DINESH GOSWAMI): Now I shall put the Statutory Resolution of Shri Shiva Chandra Jha to vote. The question is;

"That this House disapproves of the Armed Forces (Punjab and Chandigarh) Special Powers Ordinance, 1983 (No. 9 of 1983) promulgated by the President on the 15th October, 1983."

Tht motion was negatived.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Now I shall put the motion moved by the hon. Home Minister to vote. The question is:

concerning Punjab 468 and Chandigarh

"That the Bill to enable certain special powers to be conferred upon members of the armed forces in the disturbed areas i" the State of Punjab and the Union territory of Chandigarh, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI); We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 6 were added to the Bill.

New Clause 6A

SHRI M. KALYANASUNDARAM. Sir, I move:

2. That at page 3, *after* clause 6, the following new clause be *inserted*, namely;--

'6A. The Governor of the State of Punjab and the Administrator of the Union territory of Chandigarh shall submit to the Chairman of the Rajya Sabha and the Speaker of the Lok Sabha a monthly report giving details of the deaths, the seizures of properties, aims, ammunitions, explosive substances, vehicles, vessels, if any, in the course of, or as a result of, the enforcement of the provisions of this Act, for being placed on the Table of each: House.'

Sir, this is a very harmless amendment. In all the laws there is a clause to place on the Table of the House the rules framed under each law. Similarly, the report of the action taken by enforcing this Bill may be submitted to the House. After al), the House gives the extraordinary powers. Some deaths might have taken place, some arms might have been recovered, some properties might have been seized. So, why not give those details, to this House? We need not depend on the newspapers reports. We can be guided by the facts supplied by the Governor and the Administrator. That is why I have made this suggestion.

The question was proposed.

469 Statutory Resolutions [21 NOV. 19S3] ond Bills

SHRI P. C. SETHI: From time to time, as and when occasion would need, we ourselves will come to the House and place all the facts before the House.

THE VICECHAIRMAN (SHRI DINESH GOSWAMI); Now I will put the amendment moved by Shri Kaiyanasundaram to vote. Ihe question is:

2. "That al page 3, *after* clause 6, the following new clause be *inserted*, namely:-

•6A. The Governor of the Sta-e of Punjab and the Administrator of the Union territory of Chandigarh shall submit to the Chairman of the Rajya Sabha and the Speaker of the Lot Sabha a monthly report giving details of the deaths, the seizures of properties, arms, ammunitions, explosive substances, vehicles, vessels, if any, in the course of or as a result of the enforcement of the provisions of this Act, for being placed on the Table of each House.'"

The motion was negatived.

Clauses 1 and 8 were added to the Bill.

Clause—-I

SHRI M. KALYANASUNDARAM; Sir; 1 move:

concerning Punjab 470 and Clumdiaarh

"That at page 1, line 8, after the word and the figure 'October, 1983' the words 'and to remain in force for one year' be inserted."

The question was put and the motion was negatived.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The question is:

"That clause 1 stand part of the Bill."

Tht motion wax adopted.

Clause 1 was added to the Bill.
The Enacting Formula and the Title
were added to the Bill.

SHRI P. C SETHI: Sir, I move:

"That the Bill be passed."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Now the House stands adjourned to re-assemble at 11 a.m. tomorrow.

The House then adjourned at ten minutes past seven of the clock till eleven of the clock or Tuesday, the 22nd November. 1983.