- I. STATUTORY RESOLUTION SEEK-ING DISAPPROVAL OF THE PUN-JAB DISTURBED AREAS ORDI-NANCE, 1983—contd.
- II. THE PUNJAB DISTURBED AREAS BILL, 1983.
- III. 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.
- VI. THE ARMED FORCES (PUNJAB AND CHANDIGARH) SPECIAL POWERS BILL, 1983.

थी कलराज मिश्र (उत्तर प्रदेश) : उपसभापति महोदय, पंजाब श्रीर चण्डीगढ़ को विक्ष ब्ध क्षेत्र घोषित करने का जो विधे यक श्राया है, मैं ऐसा अनुभव करता हू कि इनको ग्रगर विक्षब्ध क्षेत्र घोषित नहीं किया जाता तो ग्रच्छा होता । जहां तक पंजाब की स्थिति का संबंध है, उसके बारे में माननीय सदस्यों ने श्रपनी बातों सदन के सामने रखा है। पग्नतु शासना-रूढ दल के मिलों ने जो बातें सदन में रखी हैं भ्रौर जो बातें हमने सुनी हैं उनसे निश्चित रूप से इस प्रकार का निष्कर्ष 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 ग्रारोप लगाते हैं कि विरोधी दल के लोग ग्रगर चाहें तो ग्रकालियों के पास जाकर बैठ जायें ग्रीर उनसे कहें कि इस समस्या का समाधान निकाला जाय और अपने

श्रापको उससे बरी रखना चाहते हैं ।

ये लोग बार-बार यह श्रारोप लगाते हैं कि पंजाब ग्रौर चण्डीगढ को श्राज विक्षुब्ध क्षेत्र घोषित किया जा रहा है, इसके लिए विरोधी पक्ष के लोग जिम्मेवार हैं । वे हम पर 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 श्रापसी झगड़े जिम्मेदार हैं । उनके के विघटन के कारण पंजाब की स्थिति ने यह रूप लिया है। सदन के ग्रन्दर श्रीर समाचार-पत्नों में यह बात कई बार सामने आई है कि भतपूर्व गृह मंत्री ग्रीर ग्रभी कुछ दिन पहले तक ग्रथीत राष्ट्रपति शासन लाग् होने के पहले तक जो वहाँ पर मुख्य मंत्री थे उन दोहीं में ग्रापस में लड़ाई थी ग्रौर उस की ध्यान में रखकर जो ग्राज वहां विभिन्न प्रकार के विघटनकारी उग्रवादी तत्व सामने ग्राए हैं, उनकी प्रोत्साहन देने की कोशिश की गई । इसका प्रत्यक्ष रूप से उदाहरण है कि लाला जगत नारायण की हत्या हुई, श्रीर हत्यायें हुई लेकिन हत्यारी को पकड़ा नहीं गया । श्रगर उनको उस वक्त कहा दंड दिया जाता तो उग्रवादी तत्वों की हिम्मत न बढ़ती कि वे सर उठा सकते । लेकिन यह नहीं किया गया । यह इसलिये नहीं किया गया क्योंकि आपस में उनकी लाइन बिगड़ी हुई थी । एक उनके पक्ष का और दूसरा दूसरे के पक्ष का और उस समय पार्टी के ग्रंदर ही, इन दो पक्षों 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 ग्रसफलता

को, इस विफलता को ग्रापकी सरकार ने खद स्वीकार किया है और खद 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 हूं कि इससे बढ़कर ग्रपने ऊपर तमाचा लगाना ग्रौर क्या हो सकता है। साथ ही साथ उन्होंने स्वीकार किया है कि हम शासन करने में ग्रसफल हैं, ग्रसक्षम हैं, इसलिये इसको विक्षुब्ध क्षेत्र घोषित करके हमको विशेषाधिकार दिये जायें । इसमें जो विशेषाधिकार दिये जा रहे हैं इसके अन्दर यह कहा गया है, इसमें यह साफ है कि हवलदार 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 पडताल कर सकता है। ग्राज जो स्थिति है वह यह है कि जो उग्रवादी हैं. उन उग्रवादियों की तरफ सरकार ध्यान 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 ग्रपेक्षा से किया था कि पंजाब के ग्रन्दर कडाई होगी, उग्रपंथियों का दमन होगा । लेकिन उग्रपंथियों का दमन नहीं हम्रा । इसके पहले मोटर साइकिल से जो जाते थे उनको रोक दिया जाता था ग्रौर पूछते थे कि मोटर साइकिल से कहां रहे हो? प्रगर वे रुकते नहीं थे गोली मार दी जाती थी। यानी इस तरह की हरकतें पंजाब के भ्रंदर की जाती हैं ग्रीर निरपराध लोग उसमें मारे जाते हैं। लेकिन जो उग्रवादी तत्व हैं वे ग्रभी भी स्वतंत्र घूम रहे हैं। अभी ही बस से खीचकर

लोगों को मार डाला गया। मैं पुछना चाहता

and Chandigarh हुं कि क्या कोई पकड़ा गया ? मैं श्राशा करता हूं कि गृह मंत्री महोदय इस सम्बन्ध में सदन को बतायेंगे कल जो चार हत्यायें हुई उस संबंध में कितने लोग पकडे गये । इस से ग्रनेक हत्यायें वहां पर हो ग्रौर ग्रातंकं का एक माहील पैदा करने की कोशिश की जा रही है। मट्ठी भर लोग एक साम्प्रदायिक बनाने की कोशिश कर रहे हैं। मुट्ठी भर का प्रयोग मैं इसलिये कर रहा हूं क्योंकि सामान्य सिख श्रीर सामान्य हिन्द इनका श्रापस में कोई तनाव नहीं है। लेकिन मट्ठी-भर लोग इस प्रकार का साम्प्रदायिक तनाव पैदा करके सामान्य सिख के अन्दर भी इस तरह की भावना [उन्समाध्यक्ष श्री दिनेश गीस्वामी पीठासीन हए] डालने की कोशिश कर रहे इन मुट्ठी-भर लोगों को पकड़ने में वहां का प्रशासन ग्रपने को ग्रसक्षम है, प्रशासन इन को नियंत्रित ग्रसफल सिद्ध हो रहा है ग्रीर ग्रारोप यह लगाया जा रहा है कि विरोधी दल गलत है। यह विरोधी दलों की गलती तो नहीं हो सकती है। सरकार स्वयं <del>श्रपनी विफ</del>़लतास्रों पर पर्दा डालने की कोशिश कर रही है। में समझता हं कि ग्रापको स्वयं स्वीकार करना चाहिये कि श्राप शासन चलाने में विफल हैं। राष्ट्रपति शासन तो लागू कर दिया लेकिन प्रसम्बली 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 मंत्री शायद प्रशासन ढंग से चलाता और राष्ट्रपति शासन की श्रवधि ग्रागे बढ़ाने की श्रावश्यकता नहीं पड़ती । लेकिन यह नहीं किया जा रहा है। ग्रसम्बली बरकरार है, एम० एल० ए० वरकरार हैं, डिस्ट्रब एरिया घोषित कर दिया,

concerning Punjab

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### श्री कलराज मिश्री

पंजातंत्र नाटक ग्रभी बरकरार का लेकिन उसे डिस्टर्ब एरिया बोषित करने के बाद वहां पर क्या कोई कानून ग्रौर 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 शासन ठीक ढंग से चला सकते हैं. प्रशासन कड़ाई के साथ चला सकते ्हैं तो उस कड़ाई का उपयोग नयों नहीं नहो रहा है ? अगर ऐसी बात है तो उप्रवादियों पर उन गुंडों पर, उन श्रसमाजिक तत्वों पर नियंत्रण क्यों नहीं हो रहा है ? बार बार दहाई देते हैं कि हमारी प्रधानमंत्री ने यह कहा, वह कहा लेकिन इससे कोई काम नहीं वनता । म्राप प्रत्यक्ष रूप से क्या कर रहे हैं ? शांति स्थापित करने के लिये श्रौर पंजाब में ग्राम नागरिकों के सामने जो एक • माहौल 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। में कहना चाहुंगा कि मंत्री महोदय से, यद्यपि पंजाब के बारे में जब पिछली बार बहस चल रही थी तो गृह मंत्री जी न विरोधी दलों से माग्रह किया या कि आप जाइये और 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 ग्रपनी जिम्मेदारी से वह हटना चाहते हैं। ग्रयनी जिम्मेदारी स इटना नहीं चाहिये । उन को यह चाहिये कि सब लोग मिल कर चलें। इंग साथ में चलते हैं वहां बैठते हैं। ग्रगर वह कहते हैं दरबार साहब जा कर बैठ कर अकालियों को बाध्य किया जाए कि वे ग्रपना मोर्चा वापिस लें तो सब चलें ी शासन में बने हुए ग्रगर ग्राज 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 ग्राप करिये । सब को ग्रमन्त्रिन कर के भ्राप भ्रगुवाई 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 सामहिक तौर पर सहयोग ले कर निपटाने की दिष्ट से ग्रापने कोशिश नहीं की तो विधेयक पास हो जाने से बहत बड़ा लाभ हो जाएगा कम से कम ऐसा मैं नहीं समझता हूं। तो जहां प्रशासन की दृष्टि से कड़ाई की जरूरत है वहां श्राम तौर पर माहौल श्रच्छा बने लोगों के अन्दर सद्भावना निर्माण हो इसके लिए पहल कर के विरोध पक्ष के लोगों को स्नाम नागरिक जो समाज में प्रमुख नागरिक हैं उनको साथ में लेकर जहां भी म्रावयकता पडे वहां जा कर समस्या के समाधान की दध्टि से परस्पर विचार-विमर्श के द्वारा ग्राप जितना अधिक से अधिक कर सकते हैं उस हिसाब से करिये । यह भी प्रक्रिया ग्रापनाइये श्रौर साथ ही साथ प्रशासन की दिल्ट से जितनो कडाई से वह करिये। स्रापके पास काननी हथियारों की कमी है ऐसा मैं नहीं मानता हूं इसलिए डिस्टर्ब एरिया घोषित करने का मैं समर्थन नहीं कर सकता क्योंकि कानुनी हक आपके अधिकार में ज्यादा है उसका उपयोग कर के सारी ग्राप कर सकते हैं । इसलिए इन कुछ सुझावों के साथ मैं इसका विरोध करता हूं। श्रभी हमारे सुलतान सिंह जी 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 भौर इन्दिरा जी ने विदेशी हाथ की बात की तो वाजपेयी जी ने कहा कि विदेशी हाथ कहां हैं और यदि विदेशी हाथ हैं तो उसको साफ करें कि किस का हाथ है ग्रीर कौन से तत्व काम कर रहे हैं श्रौर सरकार वहां पर क्या कर रही है ? ग्रगर सीमा से घुस कर कोई विदेशी यहां स्रा रहे हैं स्रौर <mark>ग्रापके प्रदेश में ग्रा कर उपद्रव</mark> कर रहे हैं तो ग्राप क्या कर रहे हैं ? ग्राप उसको पकड़ क्यों नहीं रहे हैं ? **ग्राप उसको ग्राइडेंटोफाई क्यों नहीं क**र रहे हैं ग्रौर जब ग्राप ग्राइडेंटे फाई नहीं कर रहे ती आप यह कैसे बोल रहे हैं कि ग्रमुक स्थान पर विदेशी तत्व हमारे देश में ग्रव्यवस्था निर्माण करना चाहते हैं, एंटो सोशल एली मेंट इकट्ठा हो रहे हैं, उपद्रव कर रहे हैं। उनको ग्राप पकड़ नहीं रहे हैं । उन को ग्राप कह रहे हैं विदेशी हाथ है, यदि ऐसा है तो ग्राप इसको लोगों के सामने रखिये, देश को जनता के सामने प्रस्तृत करिये यह विदेशी है या देश से सम्बन्धित है तब शायद ग्राप वहां की स्थिति को नियंत्रित कर सकने में सक्षम हो सकेंगे। देश को स्राप गुमराह न करिये। इसलिए कोई विरोधी दल का नेता बोलता है कि इसमें ग्रमुक चींज है तो वह लोगों के सामने लाएं भ्रौर वास्तविक को ध्यान 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 जो से निवेदन है कि वे इस सम्बन्ध में निश्चित रूप से पहल करें सब को साथ ले कर के विचार विमर्श माध्यम से और प्रशासनिक कड़ाई करके दोनों जरिये से पंजाब की समस्या के समाधान करने की दिशा में पहल करें।

इतनी ही बात कह कर मैं ग्रपनी बात समाप्त करता हूं।

and Chandigarh

concerning Punjab

डा॰ रुद्र प्रताप सिंह (उत्तर प्रदेश) : म्रादरणीय उपसभाष्यक्ष जो, मैं म्रापका हृदय से श्राभारी हूं जो श्रापने मुझ को पजाब विक्षुब्ध क्षेत्र ग्रध्यादेश, चण्डोगढ़ विक्षुब्ध क्षेत्र प्रध्यादेश ग्रौर सशस्त्र बल (पंजाब ग्रौर चण्डोगढ़) विशेष शक्तियां ग्रध्यादेश के निरनुमोदन सम्बन्धी सांवि-धिक संकल्प एवं पंजाब विक्षब्ध क्षेत्र विधेयक, चण्डोगढ़ विक्षुध क्षेत्र विधेयक ग्रौर बल (पंजाब तथा चण्डोगढ) विशेष शक्तियां विधेयक जो ग्रत्यत संवेदनशील हैं पर प्रपने विचार करने का अवसर प्रदान किया है। मैं माननीय गृह मंत्री जी द्वारा प्रस्तृत विधे-यकों का समर्थीन करने के लिए खड़ा हुआ है । श्रीमन्, मैंने अपने पूर्ववक्ता तनावपूर्ण, उत्तेजनापूर्ण, आवेशपूर्ण, भाषण को सुना । मैं प्रत्युत्तर शैला को न ग्रपना कर के केवल ग्रपना दिष्टिकोण प्रस्तृतः करना चाहुंगा ।

मान्यवर, पंजाब में कान्न ग्रौर व्यवस्था उग्रवादो, ग्रातंकवादो तथा पथक-तावादी एवं ग्रसामाजिक तत्वों की ग्रनिय-मित गतिविधियों एवं कार्यवाहियों के कारण ग्रत्यंत दुषित हो गई है । इन तत्वों तथा शक्तियों के कारण पंजाब तथा चण्डीगढ़ में निरंतर हिंसा हो रही है। सम्पूर्ण क्षेत्र में तनाव का वातावरण व्याप्त है। ग्रपराधियों की संख्या में तथा स्वरूप में असाधारण रूप से वृद्धि हो रहा है

बहिनों को मांग का सिंदूर लुप्त हो रहा है, मातात्रों की गोद रिक्त हो रहो है । मानव जीवन भयग्रस्त तथा [डा॰ रुद्र प्रताप सिंह]

श्रसुरक्षित हो गया है। हर श्रोर मानवता सिसक रही है तथा करीह रही है दूसरी श्रोर हिंसा श्रट्टाहास कर रही हैं, कूरता तया बर्बरता का तांडव नृत्य हो रहा हैं।

राष्ट्र को ग्रखंडता, एकता तथा प्रभुसत्ता को गम्भार भय उत्पन्न हो गया है ।

श्रोमन्, किसी भी सरकार का यह नैतिक तथा संवैधानिक कर्त्तव्य है, उत्तर-दायित्व हैं कि राष्ट्र की ग्रखंडता तथा प्रभुसता की सुरक्षा रखे, राष्ट्र में भाव तत्मक एकता का वातावरण स्थापित रखे, राष्ट्र में कानून एवम् व्यवस्था का पालन हो, राष्ट्र में ग्रांतरिक सुरक्षा की भावना पल्लवित तथा पुष्पित होती रहे, जिससे राष्ट्र प्रगति एवम् उन्नति के पथ पर निरन्तर श्रग्रसर होता रहे। साथ हो एक ग्रात्म-निर्भरता सम्पन्न एवम् म्रात्म-विश्वासी तथा शक्तिशाली राष्ट्र बन सके ।

भारत की महान प्रधान मंत्री, श्रीमती इन्दिरा गांधी इस दिशा में सतत् प्रयत्न-शोल हैं। मैं उन्हें हृदय के धरालत से कोटि-कोटि बधाई देता हूं । भ्रादरणीया श्रीमती इन्दिरा गांधी जी को पंजाब के संबंध में गहरी चिन्ता है। श्रभी तक उस दिशा में उनके द्वारा उठाये कदम इस बात के ज्वंलत उदाहरण हैं कि वह समस्या का तत्काल निराकरण करना चाहतो हैं। उनके मन में पंजाब जनता को भावनाएं, ग्रांकाक्षाएं तथा म्रावश्यकता का पूण मादर है। उन्होंने सदा हो इस बात का प्रयास किया है कि राष्ट्र के हित को दृष्टि में रखते समस्या का निराकरण हो।

and Chandigarh 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 श्रसमर्थता एवं राजनीति की संज्ञा दी गई है। परन्तु सरकार ने सदा ही महात्मा गांधी तथा पं0 नेहरु द्वारा प्रदर्शित मार्ग को भ्रपनाया है, उसकी में सराहना करता हूं।

concerning Punjab

श्रीमन् मैं विपक्षी दलों के सम्मानित नेतास्रों से भी प्रार्थना करंगा कि वह इस समस्या को राजनीति के दृष्टिकोण से न देख कर एक राष्ट्रीय समस्या के रूप में लेने की छुपा करें। सरकार पर दोबारोपण से समस्या का निराकरण नहीं हो सकता है । इससे हिंसा तथा पृथकतावादी शक्तियों को भ्रम हो सकता है कि राष्ट्र के प्रतिपक्ष के कुछ नेतास्रों तथा दलों की उनके साथ सहानुभूति है । यद्यपि मैं स्राशा करता हूं कि ऐसा नहीं होगा, फिर भी वातावरण प्रतिकूल हो सकता है। इतना हो नहीं, विदेशों के सामने भी वास्तविक स्थिति नहीं म्रा 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 तया 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

and Bills

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

श्रीमन् पंजाब ने राष्ट्र के स्वतंत्रता न्नान्दोलन 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 राष्ट्र पर श्राक्रमण हम्रा है, पंजाब ने सदा ही त्याग किया है, बलिदान दिया है। राष्ट्र की उन्नति, विकास एव स्मृद्धि में पंजाब का योगदान सराहनीय रहा है।

में भ्रपने पंजाब के भाइयों से श्रपील क्रहंगा कि वह भ्रपने बीच कार्य पर रहे देशद्रोही तत्वों तथा शक्तियों को पहचानें, सरकार को सहयोग दें तथा पंजाब में प्रेम एवं स्नेह, सद्भावना, मैती की भावना उत्पन्न करने में सहायता करें।

श्रीमन् उप्रवादी, पृथकतावादी तत्व पंजाब एव चंडोगढ़ में ग्रनियमित तथा हिंसक गतिविधियों में कार्यरत हैं। हत्याएं हो रही हैं, तोड़फोड़ की कार्य-वाही चल रही है, श्रसुरक्षा की भावना गम्भीर होती जा रहो है, भ्रागजनी, ल्ट, डकैतियां बढ़ रही हैं, जनता की सुरक्षा हेतु प्रभावी उपाय ग्रावश्यक 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 ग्रीर वह है ग्रप-राधियों को पकड़ना तथा भ्रपराध को रोकना जो ग्रावश्यक ही नहीं ग्रपिबुं ग्रनिवार्य हो गया है।

and Chandigarh

concerning Punjah

श्रन्त में मैं गृह मंत्री जी को इस बात के लिए बधाई देना चाहता हूं कि उन्होंने पंजाब तथा चंडीगढ़ में जत्पन्न स्थिति को दिष्ट में रखते हुए माननीय सदन में इन विधेयकों को प्रस्तुत किया है। मैं समझता हुं कि उन्होंने यह विधयक प्रस्तृत करने में प्रसन्नता का ग्रनुभव नहीं किया है, दुखी भाव से ही उन्होंने विधेयकों को प्रस्तुत किया है क्यों कि उन्हें इस के लिए विवश होना पड़ा है। मैं इस बात से पूरी तरह सहमत हूं कि इन विधेयकों को प्रस्तुत करने के ग्रतिरिक्त सरकार के सामने कोई विकल्प नहीं था जिस से वर्तमान परिस्थितियों पर नियंत्रण पा सर्वे, जिस से शान्ति ग्रीर व्यवस्था स्थापित हो सके ग्रीर राष्ट्र की ग्रखंडता बनी रहे। अन्त में आप की अनुमति से हिन्दो की एक स्वाई पढ़ कर अपनी बात को समाप्त करूंगा।

> "बात ही बात में विश्वास बद्धा जाता है

रात ही रात में इतिहास बदल जाता है

तू मुसीबत से न घषरा ध्ररे इंनसा धरा की कौन कहे स्राकाश बदल ें जाता है।"

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

श्री सत्य गल मलिक (उत्तर प्रदेश): श्रीमन, कल की घटनाश्रों के बाद श्राज यहां बहस में जो संजीदगी होती वह गैरहाजिर हो गयी ग्रीर सरकारो पक्ष की गलती से हो गयी। वह ऐसा

# [श्री सत्यपाल मलिक]

मामला था कि जब इस पर वहस होती तो छोटी छोटी बातों से उठ कर होनी चाहिए थी । मैं खुद यह सोच रहा था कि जो पाटियों के ग्रलग-ग्रलग दृष्टिकोण हैं उन से ऊपर उठ कर कुछ वात कहूं, लेकिन सेठी के पास मुलतान सिंह जी हैं ग्रौर वे सारी बात को कड़वा कर देते हैं। फिर भी मैं कोशिश करुंगा कि उस स्तर पर को न ले जाऊं।

केन्द्र सरकार ने जो यह कदम उठाये हैं उन से हमारी ग्रसहमति नहीं है। स्थिति से निबटने के लिए यह जरुरी था। किन्तु मेरा कहना सिर्फ यह है कि यह कदम स्राप ने कुछ सीच-समझ कर इस मसले को हल करने के लिए नहीं उठाये, बल्कि घटना विशेष से ग्रसानक चौंक कर उठा दिये ग्रीर एक तरह से उनीदे भौर ऐसे ग्रादमी द्वारा उठाये गये हैं जो नींद में चलता जा रहा था, एक घटना ने उसे चौकाया ग्रोर 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 श्राप ने यह कदम जठा दिया।

स्थिति में इस के बाद सुधार हुआ हो ऐसा ग्राप मानते होंगे, हम नहीं मानते । पंजाब के भूतपूव मुख्य मंत्री का बयान छपा है। उन्होंने एक इन्टरव्यू में कहा है कि राष्ट्रपति शासन लागू होने के बाद स्थिति में सुधार नहीं हुन्ना है । **घटना**श्रों की वाबत उन्होंने कहा हैं कि जो पेटी, मामूली क्रिमिनल्स हैं <del>उन की गिरफ्तारियां हुई</del> हैं, जो बड़े हैं, प्रोक्लम्ड धाफेन्डसं है उन की गिरफ-तारियां में श्रभी कोई कामयावी नहीं

मिली । उन का खुद का ऐसा मानना है कि जो नतीजे हम सोचते थे वह नहीं निकले। यह सेठी जो को जिम्मदारी है कि वह दरबारां सिंह के बयान दष्टिगत रख कर कामयाब कोशिश करें।

में सुल्तान सिंह जो के इस कथन से ग्रसहमत हूं कि पंजाब के मामले में कोई पोलिटिकल सोल्यशन नहीं हो सकता श्राज की बहस में सब से खतरनाक बात कही गयी है कि किसी पोलिटकल सोल्यू-शन की जरूरत नहीं है। श्रीमन, लोक-तंत्र में सिर्फ पोलिटिकल सोल्युशन होता है! लोकतंत्र में फौज के जरिए, पुलिस के जरिए मसले हल नहीं होते । लोकतंत्र ही नहीं, जिन तानाशाहियों ने कोशिश को है पुलिस, टैंक ग्रौर बारूद से मसले हल करें उन के नतायज ग्राप देख सकते हैं। ईरान के शाह के पास एशिया स्रोर ं मध्य एशिया की सब से ताकतवर फौज थी, लेकिन पोलिटिकल सोल्यूशन नहीं करना वाहता था, उस का जो हुमा वह स्राप के सामने है। इस के बाद खोमेंनी अगैर तमाम दुनिया के नतीजे लीजिए । मैं भ्राप को चेतावनी चाहता हूं 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 हूंतो मेरा मतलब यह नहीं है कि ग्राप ग्रकाली दल सारी बातें मान लोजिये, ग्राप राष्ट्रीय पार्टी के तौर पर, सरकार के पर कहिये कि हम फलां-फलां मानते हैं, इस के श्रागे हम नहीं जायेंगे। सारा देश आप के साथ खड़ा हो जायेगा । जो वाजिब बातें हैं उन को मानिये ग्रौर गैर वाजिब बातों को ब्राइडेंटिफाई कीजिए। लेकिन यह

and Bills कहना कि इस का पीलिटिकल सोल्यूशन नहीं हो सकता पंजाब के मामले का, यह एक खतरनाक स्टेटमेंट है ग्रीर में चाहता हूं कि माननीय गृह मंत्री जी इस में तरमीम लायें श्रीर बतायें कि उन की पार्टी की इस मामले में क्या नीति है। ग्राप 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 भ्रीर दंगाइयों की भाषा बोलता है। किसी सूबे के मुख्य मंत्री की क्या यह भाषा होने चाहिए कि एक विश्नोई सौ जाट के बराबर होता है। ऐसे बयानात से सांप्रदायिकता बढती है। मुझे इस बात का अप्रकास है। क्रक्षेत्र में श्राप का सम्मेलन हो रहा था। ढिल्लों साहब जो स्पीकर रहे हैं लोक सभा के वे वहा पंजाब का दृष्टि-कोण रख रहे थे। मुझे पंजाब के दृष्टि-कोण रखते हए पूरी सहानुभूति नहीं है ग्रौर हरियाणा के दृष्टिकोण से भी पूरी सहानुभृति नहीं है। मैं तो वाजिब बात के पक्ष में हूं, लेकिन पंजाब का दृष्टि-कोण रखते हुए आप की पार्टी के नेता ग्रौर ग्राप की पार्टी के लोग ही उन को बोलने नहीं देते। ग्राप ग्रपमी 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 ग्रौर विदेशो ताकतें हिन्दुस्तान को तोड़ने में दिलचस्पी रखती हैं। हम यह भी मानते हैं कि ग्राज 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 डिस्किपेंसी है, यह जो कन्फयू-

जन है इस को ग्राप दूर करिए। श्रभी मैं पढ़ रहाथा, हमारे सुब्रमः नियम स्वामी साहब खाना खाते हैं पाकिस्तान के राजाध्याक्ष के साथ उस में बातकीत के दौरान जिया साहब कहते हैं कि मैं तो साबित करने के लिए तैयार हं कि पाकिस्तान के ग्रंदर हो रही गड़-बड़ियों में हिन्दुस्तान का कहाँ-कहां हाथ है, लेकिन हिन्दुस्तान यह साबित करने 🔪 के लिये तैयार नहीं है। श्राप के राजदूत वहां बैठे हैं ...

and Chandigarh

श्री हरि सिंह नलवा (हरियाणा) : मेरा एक प्वाइंट आफ आउंर है। मैं माननीय सदस्य से पूछना चाइता हं कि भ्राप तो पार्टी के जनरल सेऋटरी हैं। माप ही कह रहे हैं कि कार पंजाब का पोलिटिकल सोल्यशन नहीं निकालना चाहती । मैं माननीय सदस्य से पृष्ठना चाहता हं कि मामले में लोक दल की क्या नीति इस पोलिटिकल सोल्युशन निकालने बारे में, जो ग्राप कहते हैं

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

श्री सत्यपाल मलिक : मै उन का जवाब दूंगा। राष्ट्रपति जिया यह इल्जाम लगाते हैं ग्रीर हमारा राजदूत वहां बैठा हुग्रा है । जितना इंटरव्यू में मैंने है, हमारे राजदूत को उस का जवाब देना चाहिए, ग्राप की पार्टी की तरफ से उसका जवाब जाना चाहिए श्रौर श्रापके प्रधान मंत्री जी की नाराज हाने की जरूरत नहीं है क्योंकि हम मानते हैं कि हमारे देश को खतरा है, लेकिन भाप **ग्राइडेंडिफाई करिये कि वह कौन-कौन** से एलीमेंट हैं कि जो खतरे का बाइस हैं और **त्राप उन के खिलाफ कार्यवाही करिये । श्र**भी बहुस हो गयी कि यह ग्रांदोलन किस की पैदाइश है,। मैं इस बहस में नहीं पड़न

### अने सत्यपाल मलिको

चाहता । बड़े-बड़े नाम लिये जायेंगे भाप की तरफ से, लेकिन में उस बहस में नहीं पड़ता, लेकिन साथ ही एक निवेदन करना चाहता हूं कि सुप्रीम कार्ट के जज की एक इंक्वायरी हो जाए इस बात के लिये कि यह पंजाब का म्रांदालन किस की पैदाइश है भीर यह उग्रवादी किस की श्रीलाद हैं। हम उस इंक्वायरी के लिए तैयार हैं, इस के लिये सारा श्रपो-जीशन तैयार होगा। एक फैसला पंजाब ग्रौर हरियाणा के सिलसिले में हो गया था । प्रधान मंत्री श्रीमती इंदिरा गांधी ने फैसला कर दिया था। कमीशन का एक फैसला आ गया था और उस के बाद दोनों सूबों में ग्राप की सरकारें थीं। हरियाणा में श्राप की सरकार थी श्रीर पंजाब में भी श्राप की सरकार थी। इमरर्जेसी लगी हुई थी। सारे देश में म्राप ने बुलडोजर चलवा दिये। बारातों को उतार कर भ्राप ने उन लोगों की जबरजस्ती नसबंदी करवा दी लेकिन ग्राप ने पंजाब का श्रीर 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 है। मैं सुलतान सिंह जी को बात में ज्यादा नहीं फंसता इतना कि उन का जवाब देते समय में अपनी माकूल बात कहने से भी रह जाऊं। में कहना चाहता हूं कि माज जो स्थिति है देश के मंदर वह बहुत खराब है और उस में भी पंजाब का मामला बहुत ज्यादा महत्व-पूर्ण है। लेकिन ग्रासाम है, पंजाब है, इस सब के साथ ग्राप एक जीज नोट कर रहे होंगे कि सारे देश में इस वक्त जो फिरके हैं श्रलग-ग्रलग उन का लोडर-शिप स्थानीय स्तर पर समझदार लोगों के हाथ से निकल गयी है। पहले इस

and Chandigarh देश में, जलूस जलसे होंते थे, मोहर्रम श्रादि के त्यौहार होते ये दुर्गा की प्रतिमा का विसर्जन होता था और शान्ति पूर्ण तरीके से सब काम हो जाता था। उस यह देखा गया है कि उन जलूसों ग्रीर जलसों का नेतृत्व कुछ समझदार लोगों के हाथ में होता था आजादी की लड़ाई के दौरान एक ऐसी लीडरिशप निकली थीं कि उस के चलते सब कुछ शांति से हो जाता लेकिन ग्राप नोट कर रहे होंगे कि पिछले 6 महीनों से या पिछले साल भर से स्थानीय नेतृत्व से वह समझदार लोग इरिलिलेंट हो गये हैं। जो ग्राज चारों फिरके हैं, मैं नाम नहीं लूंगा, लेकिन चाहे वह हिन्दू हों या मुस्लमान, सिनख हों या ईसाई, सब का नेतृत्व स्थानीय स्तर पर कुछ नामाकूल धौर एंटी सोशल लोगों के हाथ में चला गया है। कोई दिन नहीं गुजरता जब कि दंगे फसाद न होते हों। ब्राज जो मनोबृत्ति बन रही है, ग्रगर देश के स्तर पर ऐसी मनोवत्ति बन जाए और लीडरिशप ऐक्सट्रीमिस्टस के हाथ में चली जाएगी ग्रीर सिक्खों में भिडरावाला लीडर बनेगा तो हिन्दुग्रों में भी कोई नामा-कूल आदमी लीडर बन जाएगा और देश तहस-नहस हो जाएगा। भ्राप 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 ग्राजादी की लड़ाई से पेदा हुई थीं, वह खत्म हो जाएंगी स्नौर लोकतंत्र तिसम की लीडरशिप खत्म हो जाएगी।

इपलिए में फिर दौहराना चाहत। कि मैं इस बात को नहीं **मान**ना कि गांधी जी की हत्या किसी के कहने से गोडसे ने की, किन्तु देश में

एक माहौल ही ऐसा पैदा हो जाता है । जसमें ऐसा होता है। मैं नहीं कहना कि कौन स्रकाली स्रान्दोलन के लिए जिम्मेदार है, लेकिन एक माहोल बन गया है जिसके लिए जिम्मेदार लोगों को ग्राप ग्राइडेंटि-फाई करें कि कौन लीडरिशप है जिसको वजह से यह हो रहा है। दूसरे में भी कम्यूनल लोडरशिय के खिताफ म्राष लड़ाई कीजिए, उनको म्राइडेंटिफाई कीजिए। लेकिन ग्रपोजिशन को इसका दोष मत दीजिए। मैं कहना चाहता हूं कि देश को बचाने में अपोजिशन न पीछे था भ्रौर न पीछे स्राज है। ऐसे गंभीर मसले में मैं शेर कहने का ग्रादी नहीं हं, लेकिन इस माहौल में मैं दुश्यंत कुमार की दो लाइनें कहना चाहता हं :--

"उनकी ग्रपील है कि उन्हें हम मदद

चाकू की पसलियों की गुंजारिश तो देखिए।"

ग्राप मदद भी चाहते हैं ग्रौर हमको मारना भी चाहते हैं, ये दोनों बातें चन नहीं सकतो ।

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

श्री राम भगत पासवान (बिहार): उपसभाध्यक्ष महोदय, म ननीय गृह मंत्री जी द्वारा जो गंजाब ग्रौर चंडोगढ़ डिस्टःई एरियाज बिल लाया गया है उसके समर्थन के लिए मैं खड़ा हुआ हूं।

महोदय, इस बिल का उद्देश्य 🕛 है। देश को एकता और ग्रखंडता को सुरक्षा के लिए माननीय मंत्री जी यह बिल लाए हैं । श्रीमन्, भारत के प्रजातंत्र में विरोधी पार्टिगों का जो रोल रहा है वह बहुत हो दुखदा शी रहा है। इनके इति-हास को देख लें तो प्रजातंत्र की सफलता केलिएया देशकी सुरक्षाक लिए देश के जो कल्पाण के मुद्दे हैं, उनका इन्होंने समर्थन कमो नहीं किया बल्कि तहेदिल से विरोध किया। ग्राखिर े भो जनता के चुने हए प्रतिनिधि हैं, जनता का विश्वास प्राप्त करके सदन में आते हैं। तो इनको इस तरोके से जनता के साथ विश्वास-घात नहीं करना चाहिए।

उपसंभाध्यक्ष महोदय, ग्राज यह महसूस

concerning Punjab

and Chandigarh

हो रहा है इन लोगों ने भो कहा है कि पंजाब को जो स्थिति ग्राज हो गई है पंजाब में जो उग्रवादो श्रातंक मचा रहे हैं; जो हिसा पर उतर गो हैं, उनको हिसा पंजाब तक ही सीमित नहीं बल्कि देश के दूसरे भागों में भो फैल गई है, जिससे हमारे देश को ग्रखंडता ग्रौर एकता पर बड़ाप्रभाव पड़ रहा है, ऐसो स्थिति में इस दिल का लाना बहुत ही ग्रावश्यक था। श्रमो शिवचन्द्र झाजो ने, मैं उनकी कद्र करता हूं, इस विल की तुलता मार्शल ला से को। इसकी तुलना पिछत्रो ग्रंग्रेजो सरकार के जमाने के विधेयकों से की। उन्हें क्या यह भी पता नहीं है कि । ग्रातंकवादी लोग जो धर्म को ग्राड़ में ग्रान्दोलन कर रहे हैं, ो राजनीतिक चाल है। यह हमारा बार्डर स्टेट है, जब जब देश पर खतरा हुग्रा है तो बार्डर से शुरू हुग्रा है ग्रीर इन ग्रातंकवादि ों को बढ़ावा कहां से

मिल रहा है । विदेशः लागों से ग्रौर

पाकिस्तान से भो इनको बढ़ावा मिल

रहा है। इसलिए इनको दवाने के लिए

यह बिल लाना जरूरो था। इसका कं पैरिजन स्राप यूर्णी की डकैती स्रौर

भ्रंग्रेजी सरकार के विलों से नहीं कर सकते।

आप जानते हैं कि इनकी हिंसा यहां

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## and Bills श्री राम भगत पासवान]

तक बढ़ गई है कि हजारों की जानें ना रही हैं राष्ट्रीय संपत्ति नष्ट हो रही है, कितने प्रविकारो मारे गये हैं, धार्मिक ग्राड में हिंसा हो रही है। धर्म का कार्य हिंसा करना नहीं है । धर्म तो रक्षा कर सकता है। लेकिन हिसा पर जो लोग उतर गये हैं उनका मुख्य उद्देश्य खालिस्तान स्टेट कायम करना है। यह भारत धर्म निरपेक्ष राज्य है। धर्म के नाम पर, जाति के नाम पर, भाषा के नाम पर, **स्रेत्रीयता** के नाम पर जो भ्रलग राज्य कायम करना चाहते हैं या हमारी गखंडता पर डायरेक्ट ग्रटेक करना चाहते हैं, जितनी जल्दी हो सके सरकार को उनको कुचल देना चाहिए। जो हमारी ग्रखंडता पर डायरेक्ट या इनडायरेक्ट ग्रटेक करना नाहते हैं उनको कूचलने के लिए सरकार ने यह कदम उठाया है। इसलिए विरोधी पार्टियों को सरकार को धन्यवाद देना चाहिए। जैसा सुलतान सिंह जी ने कहा राष्ट्र के हित के लिये, राष्ट्र की ग्रखंडता के लिए, राष्ट्र की सूरक्षा के लिए यह विधेयक लाया गया है। इसकी हमको, अपको तारीफ करनी चाहिए। ग्राप लीगों की आदत बन गई है कि सरकार जो भी अच्छा कान करेगी उसका विरोध करना ही है। ग्रापकी कन्फ्रन्टेशन टकराव की नीति है। इस नीति को ग्रापको छोड़ देना चाहिए ग्रौर देश के हित में जो कानून बनता है उसका तहेदिल से समर्थन करना चाहिए।

उपसमाध्यक्ष (श्री दिनेश गोस्वामी) : ग्रब समाप्त करिये।

श्री राम भगत पासवान : एक दो मिनट श्रीर लूंगा ।

उपसभाध्यक्ष महोदय, यह जानकारी जैसा पेपरों में देखने की मिलता है कि कुछ ग्रातंकवादी लोग विदेश से काश्मीर के रास्ते से ब्रारहे हैं और निहंग लोग जो हैं उममें श्राकर मिल जाते हैं। ये लोग यहां पर आतंक फलां रहे हैं। मैं सरकार से म्रायह कहंगा कि अगर ऐसे लोगं हैं तो वह उनकी जानकारी प्राप्त करें भीर यह देखें कि उनका घर कहां है, वे लोग कहां स ग्राए हैं, कैसे भाए हैं । उनकी जानकारी प्राप्त करके उनको ग्राडेंटीकाई इश किये जायें। इसके साथ हो यह भी जानकारी मालूम करें, यह भी पता चला है कि काश्मीर में राष्ट्र विद्रोही लोगों को देनिंग दी जा रही है। इसकी भी जानकारी होनी चाहिए। जिस प्रकार से श्रापने पंजाब में प्रेजीडेंट रूल जारी किया है उसी तरह से काश्मीर में भी प्रेजीडेंट इन कायम कर दिया जाए। में ग्राग्रह करूंगा कि सरकार को यदि काश्सी र में ऐसा हो रहा है तो उसको भी भंग कर देना चाहिए।

उपसभाध्यक्ष (श्री दिनेश गोस्वामी): ग्रब समाप्त करिये।

श्री राम मगत पासवान : इंदिरा गांधीं के नेत्त्व में हमारा देश प्रगति कर रहा है। लेकिन हमारे कुछ पड़ौसी देशों को यह अखरा है । वे लोग किसी न किसी तरीके से डिस्टरबेंस किएट करना चाह रहे हैं श्रीर स्रशांति पैदा करना चाहते हैं। इसलिए यह जो बिल है यह उप्रवादियों के लिए, प्रतिक्रियावादियों के लिए, प्रातंकों वादियों को कुचलने के लिए लाया गया है। इसलिए मैं इस बिल का तहेदिल से समर्थन करता हं श्रौर माननीय गृह मंत्री जी को इस के लिए धन्यवाद देता हू।

M. KALYANASUNDARAM (Tamil Nadu): Sir, I stand to oppose that three Bills as they are very dangerous and will not help the Government to restore normalcy in Punjab and to win over the people of Punjab in the task ahead. That does 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?

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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 for a military dictatorship like what they have in Pakistan.

AN HON. MEMBERS: Zia-ul-Haq.

SHRI M. KALYANASUNDARAM: Even 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 Commonwealth Heads of Government are meeting in our capital. What will think? Punjab had a glorious tradition, more than the Golden Temple, that Jallianwallabagh, 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 most brutal people. No doubt the activities of the extremists are very brutal. They have to be dealt with severely. I 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 deterioration. The recent killings were done in such a manner as to provoke communal tension throughout the country. It is clear that there is a purpose behind fomenting these killings. How to tackle these problems?

and Chandigarh I would equally blame the ruling 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. I ask them, what was the 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? What 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 same time, you may ask whether you should be given the powers to enter the Golden Temple to apprehend the culprits. I would say, you should not. That won't help us to solve the problem. My party has been warning the leaders of the Akali Party that they should not harbour these dissociate extremists and they should themselves from the extremists. I think that slowly they are realising that. Today's statement of Longowal should not be 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 is a welcome step that he has taken. But

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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 the tripartite conference, including Opposition and the Akali Dal? Call that conference as quickly as possible. Opposition parties will be able to help you to reach a political solution. If any section of Punjab refuses to accept then alone will they get isolated, while filling confidence in our people. See how it was responded to, how the people 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 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. 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 to bring all the secular forces together so that communalism can be kept check? The danger is that communalism is likely to spread. On the oneside the vishwa Parishad is carrying on 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 would still urge upon the Government to call a conference. Take that correct step. I do not want to go into details of 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 Bill. 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 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 the extremists were pointed out that 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? That is a big question. These things are happening. And this is happening from the murder of Lala Jagat Narain. Today Longowal who is the leader of the Morcha and Akali Dal has condemned Now these things have come out in the But I will only quote the editorial "The Indian Express" of the today. It has said like this:

"The Akali Dal denounced the Dhilwan killings and will doubtless dissociate itself from the latest massacre too.

It is quite possible that Naxalites,
Dal Khalsa secessionists and various
other elements are staging the murders
to stir up communal trouble to were
their own purposes. But Akali protestations of innocence do not carry credibility with an increasing number of people." The editorial says this. It is not my intention. It is "The Indian Express" which has said this in the editorial to-day

"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 ensconsed 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 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 mingle the political question with religious questions, it will never end, and it will never bring happiness to Punjab or solve the national problem. The political issues are created for political opportunities which create problems and vitiate the 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 the 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 have 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.

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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 (I). If these people are also thinking of problem, let them all say what the solu-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 understanding the problem and bringing a solution. And whatever the things may be, we have to say that this culture of 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 propounded in modern which has been India in our sacred Constitution. And we will go back in history if we go on intermingling all these questions. My first point is that the religious question.. as 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 Karna-And in water disputes many States taka. When these questions are involved. are raised, the concerned States have to settle it by discussions. It cannot be done 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

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It should be possible for them to pinpoint the persons. I think in 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 I appeal to evereybody, because of the strategic reasons, to consider the question very calmly, coolly and treat the issues separately. Let us not mix religion with politics and let us reward the Nihang who saved the life of a Hindu and became the idol of the whole nation.

SHRI KHUSHWANT SINGH (Nominated): Mr. Deputy Chairman, Sir, would like to draw the attention of the Home Minister to an incident which took place in Harvana which, I think, has a oearing on the situation in Punjab and from which we can draw certain conclusions. Mr. Home Minister, you are doubt aware that between the 7th and 10th of October, there were anti-Sikh riots in Yamuna Nagar, a town which has long history of communal harmony. You have also no doubt received the representation made by the Sikhs of Yamuna Na-It was presented to the President the Prime Minister vourself and Chief Minister of Haryana. What is significant about this incident and the representation is the fact that the leader of the delegation which made it is an old, wellknown freedom fighter, Baba Dasunda Singh who has been in jail many times and is currently the other leader of the Congress-I party. 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, in 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 available in Yamuna trishuls currently 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 Cong-Congress-I ress-I Sikh versus generally Hindu vs. Sikh 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 vet to come of the Hindu backlash. It is inevitable when crimes are committed by people who appear to be Sikhs, there 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 have passed is the right answer. I fear and I suspect that it may prove counterproductive and may boomerang. You have armed the police with enormous powers of search. I am told that 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 Sikhs, the police is bound to search only the houses of Sikhs? It stands to reason that in villages the feeling of discrimination is going to spread because police attention will be focused only on Sikhs

leaving out the Hindus. And Sikhs, 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 Haryana ordered the search of every single Sikh coming to Delhi. It is that kind of 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 quite obvious to you by now that answer does not lie in guns but in goodwill. I don't see how you can create goodwill with guns, and that also with guns in the hands of the police. There only way will be retaliation. The can create goodwill-and I repeat it for the 9th time,-is for you to re-open negotiations with the Akalis and come to settlement; otherwise, the entire country will have to pay a very heavy price your dithering over the situation in Punjab. Thank you.

SHRI V. GOPOLSAMY: Mr. Chairman, the situation in Punjab is alarming and grave that the people throughout Punjab are trembling in panic fear. I condemn in the strongest terms this dastardly attack and killing, the heinous crime of killing the passengers 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 DIG, three Inspectors, four Sub-Inspectors, six Head Constables fifteen policemen, more than 35 Nirankaris and about 15 innocent Hindus, have been killed. 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 Police with special powers. These draconian provisions are before the House now. These provisions, if passed, will

definitely arm the Police and the Armed Forces. But the Police force is already a spoilt force. Their image has spoiled. I quote from the Indian Express of November 8, 1983 where, Rear Admiral Satyindra Singh (Retd.) written as follows under the caption: Failure of Intelligence: Puniab: savs:

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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 in question accuses the the Minister Chief Minister of engineering this situation as part of a political vendetta against dissidents in his party. Another comment (Oct. 26) said; Rightly 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 Director General of Police. Puniab. 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, he stated that the accused involved in the case were very influential and that was the biggest drawback. Thus 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 compiled on politically motivated murders.

This is the image of the Police in Punjab. The local intelligence has totally falied. Now you are arming the Police and the Armed Forces. Unless vou get prompt cooperation from the local police and intelligence, your combing operations will not succeed. You have experimented with it in Mizoram. The Police is already spoiled force and some of the not officials do take serious interest because many have been promoted in total disregard to seniority and merit. Now, 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 the Inter-

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

SHRI SULTAN SINGH: Why not give to Haryana? Fazilka

SHRI V. GOPALSAMY: There territorial wrangles and to solve this problem bring Akalis to the negotiation table. You cannot blame Akalis. If that, I would warn you that the extremists the moderates. They already taking the wind out of the sail of moderates. That is going on. Bhindranwala is attracting more crowds 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. appearance of Armed Forces and Police particularly in Punjab will create disgust revulsion and hatred. Already polarisation of communities has taken among Hindus and Sikhs between whom there 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 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 sacrifice. Mr. Kalyanasundaram was referring the Jallianwallabagh massacre. When General Dyer gave the orders, guns roared and hundreds were killed and Punjab gave birth to Udham Singh avenged these killings, this massacre, later. It gave birth to Bhagat Singh. It is the very same Punjab which gave birth Rajguru and it is the very same Punjab

which gave birth to Sukhdev and it is the same Punjab which has given birth other revolutionaries. The leaders of the Akali movement have condemned the 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 such sort of killings. I would like appeal to the Akali leaders and all those who are interested in the movement: Give a command to the Sikh people to tell those who are indulging in this sort of killings that he is not a Sikh and that it 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) saying that they were born as Sikhs and that they were not afraid. Such is their temperament and such is their sentiment and it 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 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 in true federal framework the Sikh nation,

the Sikh nationalities, all nationalities, national minorities, even the 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 into account their sentiyou don't take ments expressed in this Resolution, 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:

future developments, "Asked about the Akali chief said in a mournful done 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 Khalsa order."

" 'The date is significant' he said with quiet desperation. In 1699; the Tenth Guru created the Khalsa. 1799. Maharaja Ranjit Singh occupied the throne of Lahore. In 1899 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? I think everything has covered (Interruptions) 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 Puniab 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 Bill is 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 liberty of the individual and protection. So I would like to ask, is it justified? As was rightly said by the Opposition, giving of special powers to the Armed Forces is going to land the country into a jeopardy. If the Armed Forces are allowed to have the civil administration, then a say in there will be a great danger to our democracy. Therefore, I will request the Home Minister 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 says:

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"(a) if he is of opinion that it is 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 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 carving 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 provisions is there in Criminal Procedure Code. The Sikh's entitled to carry 'kirpans'. powers may be misused. Very wide powers have been given. And there the other thing, firearms and ammunition. Sir, these powers can be exercised under the ordinary law. I would like to the Home Minister whether these powers. cannot be exercised under the Criminal Procedure Code by bringing in 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.

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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 it under the ordinary law? Where is the necessity for having extra powers? Even today if there 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, Singh and Shri Kalyanasun-Khushwant forces are not daram, is that Central being strengthened by the Government... (Time Bell rings). The main problem of Punjab should not be looked at the point of view of Sikhs and Punjabis. Now, everybody in Punjab, whether he 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 territorial disputes or water disputes. God's sake and for the security of country and for communal harmony, would request the Home Minister others not to give it a colour as if it is a fight between the Hindus and the Sikhs. They should have a proper administration and police force. Lastly, I would like to say that the remedy which has been proposed by the Minister is worse than the disease. Disease is different. Therfeore. am totally opposed to this 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 and Chandigarh Disturbed Areas Bill, 1983. Like all Membres I believe in people's government. But Punjab situation for couple of years been such has Puniabis 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 these demands in this House for quite some time. I will only draw the attention of the hon. Minister to certain facts. Since we are having central rule and more powers with 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. The Government must their support in this venture.

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

Certain people took pledges and ardas 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 the Minister to settle these religious tensions. Even if you sort 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.

I have been talking in this House and outside of the invisible hand which has been disturbing Punjab. Sir, the time has come when all are convinced about it. We have been asking the Government to produce a White Paper about it so that cer-

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tain facts 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

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Sir, through you, I want to make a submission to the Central Government, Punjab must be immediately provided more money for development purposes because their funds are being exhausted in order. Until and unless law and divert the energies of the people in deve-Iopmental work, you will never peace because on the one hand you are facing the law and order problem 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 provided immediately with grants for development purposes, apart from facing the law and order situation. Sir, it is a fight between theocracy and democracy, us rise above party politics and fight out the theocratic forces who draw inspiration from fundamentalism and the influence of Khomeini in Iran. want to really destroy their designs, we have to be one rather than parties groups in this matter. If does not remain in this country, no political party will ever be in a position rule this country. Sir, like others, 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 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 Central Government suspended the Assembly in Punjab. The Party Government compelled its own party Government to leave the reigns of Government. more seriousness is required

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 Hindus that they can ever rule My friends were mentioning that whenever they come into power, they through the goodwill of BJP or Bhartiya Sangh. Therefore, if Akalis think of ruling Puniab, they must condemn violence, and they must wash their hands off from this thing so that the fundamentalists terrorists or fought by all who can rule Punjab whether by turns or for a longer period. Therefore, I support this Bill 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.

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SHRI GHULAM RASOOL **MATTO** (Jammu and Kashmir): Mr. Vice-Chairman, 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 of 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 us all calmly consider whether the situation has improved in these 45 days since the 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 same. Where does the solution lie? We, in Kashmir, have been always saying that we have a vested interest in peace in Punjab. artery to the rest of the country is through Punjab. Everything that comes to Kashmir comes through Punjab. So, we deeply interested in peace in Punjab. But Mr. Minister, now you have been forcing these laws for the last 45 days Have you achieved anything? No. would humbly tell you that the solution lies in political solution to the problem. Now, the other day while replying to the

[Shri Ghulam Rasool Matto]

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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 presyou formally tige? Why don't 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 important issue and consider the question of inviting them formally, and not infor-Do not ask the opposition parties any intermediaries. Send 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 Forces (Punjab and Chandigarh) Special Powers Bill. This is a very dangerous have studied a recent book 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 the 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 Bill in suspended animation.

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 be obliged if you could kindly reply to the points raised by me in that letter so that there was some light thrown on the subiect. But let me tell you one thing. The Kashmiris, the people of 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. It

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.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr. 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.

SHRI GHULAM RASOOL MATTO: In the end, I again beg of 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 of 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 (SHRI 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

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.

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only one speech I would be making with regard to all these Bills because they are being considered together. As House is aware, the extremists and secessionist elements had been indulging activities in Punjab violence and illegal Such elements and Chandigarh. killed not only marked policemen and Nirankaris but 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, 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. 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 only seeks to protect the steps that 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

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

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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 sort of interference with the executive powers of the State. While those powers have been taken, these will apply to such parts 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 things and they have been attacking innocent people. It with a view to put and end to such wanton raids that these Bills have framed. Ordinances had to be issued because it became urgently imperative and immediately necessary. 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 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 whom you would use these powers? You do not know the persons.

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

#### (Interruptions)

SHRI SHRIDHAR WASUDEO DHA-BE: 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 the area, when the Punjab Government feels it necessary, they will issue the notification for that area.

THE 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.

SHR! 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 (SHRI, 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 Shiya Chandra

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, be referred to a Select Committee of the Rajya Sabha consisting of the following members, namely;—

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- 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
- 8. Shri R. Ramakrishnan
- 9. 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 first
  week of the next Session."

The motion was negatived.

THE VICE 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 the Bill,

Clauses 2 to 7 were added to the Bill.

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

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

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"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.

THE 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 inserted."

The motion was negatived.

MR. VICE-CHAIRMAN (SHRI 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, I shall put the Resolution moved by Shri Jagdish Prasad Mathur to vote. The question is:

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

The motion was negatived.

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
- 8. Shri R. Ramakrishnan
- 9. Shri Rameshwar Singh
- 10. Shri Hari Shankar Bhabhra
- 11. Shri Kalraj Mishra
- 12. Shri Dipen Ghosh'
- 13. Shri Nepaldev Bhattacharva
- 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 puthe motion.

The question is:

"That the Bill to take better provsion for the suppression of disorder at for the restoration and maintenance public order in disturbed areas Chandigarh, as passed by the La Sabha, be taken into consideration."

The motion was adopted.

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VICE-CHAIRMAN (SHRI THE 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

KALYANASUNDARAM: SHRI M. 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 we're added to the Bill.

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

"That the Bill be 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."

The motion was negatived.

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

"That the Bill to enable certain special powers to be conferred upon members of the armed forces in the disturbed areas in the State of Puniab 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 take up clause by clause consideration of the Bill.

Clauses 2 to 6 were added to the Bill.

New Clause 6A

M. KALYANASUNDARAM: SHRI 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 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, arms, ammunitions, explosive substances, vehicles, vessels, if any, in course of, or as a result of, the forcement 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. all, the House gives the extraordinary powers. Some deaths might have taken place, some arms might have been recovered, some properties might have been So, why not give those details, seized. to this House? We need not depend on the newspapers reports. We can be guided by the facts supplied bv Governor and the Administrator. That is why I have made this suggestion.

The question was proposed.

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

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI); Now I will put the by Shri Kalyanasunamendment moved daram to vote. The question is:

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 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 7 and 8 were added to the Bill.

Clause-1

KALYANASUNDARAM; SHRI M. Sir; 1 move:

"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 DINESH GOSWAMI): The question is:

"That clause 1 stand part of 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 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 on Tuesday, the 22nd November. 1983.