

RAJYA SABHA

Friday the 6th August, 1982 15th Sravana,
1904 (Soke)

The House met at eleven of the Clock.

Mr. Chairman in the Chair.

OBITUARY REFERENCE

MR. CHAIRMAN: Before we take up today's agenda, I refer with profound sorrow and deep grief to the sudden and sad demise of Shri Godey Murahari, a former Deputy Chairman of this House.

Shri Godey Murahari's association with the Rajya Sabha was very close and intimate; he was the Deputy Chairman of this House for five years from 1972 to 1977. In 1977, he was elected to the Lok Sabha and with his experience in the Rajya Sabha, he became the obvious choice for the Deputy Speakership of that House. He filled that office with great distinction. Those Members of the Rajya Sabha who had known him as Deputy Chairman, would testify to his great sense of duty, fairness and impartiality, a man of quiet temperance and friendly nature, he endeared himself to everyone. He was apparently in good health and many of you might have seen him yesterday going round in the Parliament House. Nobody could have visualised that his end was so near.

Shri Godey Murahari was born in Jamshedpur in May, 1926 and had his education at the Banaras Hindu University and the Pachappa's College, Madras. An active political and social worker, he plunged into politics at the age of 15 and was expelled from the Banaras District for over two years for participating in the Freedom Struggle. He was imprisoned for

taking part in the Quit India Movement. A prominent youth leader, Shri Murahari participated in several international conferences and later led several Parliamentary delegations to foreign countries. He was a Member of the Rajya Sabha from April, 1962 to March, 1977 and then he was elected to the Lok Sabha.

We deeply mourn the passing away of Shri Godey Murahari.

I request Members to rise in their places and observe a minutes silence as a mark of respect to the memory of the deceased.

(Hon. Members then stood in silence for one minute.)

MR. CHAIRMAN: The Secretary-General will convey to the members of the bereaved family our sense of profound sorrow and deep sympathy.

ORAL ANSWERS TO QUESTIONS

MR. CHAIRMAN: Questions. Question No. 381.

381. [The questioners (Shrimati Kanak Mukherjee) was absent. For answer vide cols ... infra]

Mr. CHAIRMAN: Question. Question-382.

Integration; of Civil Services of Pak Occupied Areas of Kashmir by Pakistan

*382. SHRI MURLIDHAR CHANDRAKANT BHANDARKAR:
SHRI N. K. P. SALVE: f

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the reported decision of Pakistan Government to integrate the Civil Services of the Pak occupied areas of Kashmir with those of Pakistan;

(b) if so, whether Government sees any change in Pak-Government's stand

The question was actually asked on the floor of the House by Shri N. K. P. Salve.

In this decision, in the light of the Simla agreement; and

(c) if so, what are the details in this regard and what is Government's reaction in regard thereto?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) Yes, Sir.

(b) and (c): Government are aware of Pakistan's steps in the past to progressively integrate Pakistan-occupied Kashmir into Pakistan, contrary to the provisions of the Simla Agreement.

Government's stand on the subject is well known, viz. the whole of Jammu and Kashmir is constitutionally and legally an integral part of India.'

SHRI N.K.P. SALVE: Indo-Pakistan relations at the moment have reached a delicate phase and no person who is genuinely interested in improving relations between the two countries would want to rake up a question which would unnecessarily precipitate issues. But, sir, bilateralism is the heart of the Simla agreement about which both Pakistan and India are repeatedly and avowedly talking and both countries are repeatedly making it clear that they want to abide by it both in spirit and letter. To put it in legal jargon, if bilateralism is the essence of the agreement, how is it that these irritants come about between the two countries which clearly want to have better relations? These irritants can be avoided if there is better communication between the two countries. May I know from the Minister whether such things which are in total violation of the concept and principles of bilateralism—that one country does something which causes, unnecessary heart-burning to the other—are for want of adequate *communication*? If there is a communication strap, what steps are taken to ensure that the two countries do remain in continuous friendly contact so that such things are avoided?

SHRI P. V. NARASIMHA RAO: I shall confine myself to the subject-matter of the question. This so-called integration of services is nothing new. This has been going on for quite some time and whatever they do, it is as illegal as this area being under their occupation. As a matter of fact, the Lahore Weekly which has been quoted in the "Hindustan Times" has itself reported that the progress of integrating civil services of Pak occupied Kashmir with those of Pakistan had started several years ago and at one stage the Joint Secretary of the Pak Ministry of Kashmir Affairs used to be the Chief Adviser to the occupied Kashmir Government. This has been going on but from our point of view it is just illegal, it has no status and no validity.

In regard to the communication question raised by the hon. Member, as the House is aware there is no dearth of communication or *no* gap in communication. In fact, as of now, perhaps our Foreign Secretary is preparing to go or is already on his way to Islamabad. He will be there for the meeting of Foreign Secretaries on South Asian Regional Cooperation and then stay on for a day or two in order to continue our bilateral talks with Pakistan on the no-war pact, joint commission and the recent friendship treaty on all these matters. As far as humanly possible both countries have been maintaining contacts and maintaining communication and there has been no gap.

SHRI N.K.P. SALVE: I wish the Foreign Secretary goes there. It has been India's stand all these years that occupation by Pakistan part of Kashmir is illegal and this was our stand even when the Simla Agreement had been entered into. The first of my questions possibly is not very well appreciated. What is needed is to avoid irritants and their integration of the services is not going to affect their title to that area, nor would it entail any new. But how is it, Sir, that from time to time things do happen,

do come about, which do cause irritants between the two countries and, to avoid these irritants—I would put it differently, would put the same question in a different manner—what steps would be taken so that these irritants, which do not help either Pakistan or India in any manner whatsoever, are removed? What steps would be taken to avoid these irritants between the two countries?

SHRI P. V. NARASIMHA RAO: Sir, there is a whole series of steps, positive steps, that need to be taken. There is also a realisation on both sides that these positive steps need first to be spelt out and then taken, adhered to, and progressively implemented, NOW, we believe that this desire is shared by both the countries and that is why, from our side, as the House is aware, we have been taking all necessary steps in pursuance of this process.

SHRI SURENDRA MOHANTY: Sir, the honourable Minister, in his reply, has covered the entire gamut of Indo-Pakistan relationship and has given the Government's reaction thereto. But the scope and dimension of the question is very limited: integration of the civil services of the Pak-occupied territories. Sir, the Minister has not spelt out what steps have been taken so far to remove this particular irritant, apart from the other things, many other questions, that are there. Sir, it is a welcome measure that the Government of India is taking steps to sort them out in a friendly spirit. But, as far as this question of integration of services of the Pakistan-occupied territories is concerned, the Minister says that it is illegal. Therefore, I would like to know what steps have been taken so far. Will the Minister kindly spell out, so far as this particular aspect is concerned, the steps that have been taken?

MR. CHAIRMAN: You confine yourself to the question of integration of services, Mr. Minister.

SHRI P. V. NAKASIMHA RAO: Sir, I have already submitted to the House that this is a part of the larger question of the illegal occupation of a part of Kashmir by Pakistan. Now, you cannot scoop this out of the whole question and do anything specific about it.

SHRI SURENDRA MOHANTY: Why not?

SHRI P. V. NARASIMHA RAO: It is just not possible, because it is a part of the whole process of illegal occupation. They have occupied it illegally. What they are doing inside by way of integration of services, etc. is only a part of the whole question. Therefore, it is not possible to treat that one subject separately although I should also submit to the House that whenever there has been any specific action on the part of Pakistan, we have lodged a protest as in the case of the northern areas, as in several other cases in the past. The House is aware that when the so-called observers from these territories, from some of these territories, were appointed to the Majlis-e-Shoora, we did protest to Pakistan. As I have stated, this integration has been a continuous process and there is no specific action against which a specific protest could be lodged.

MR. CHAIRMAN: Yes, Mr. Yogen-dra Sharma.

श्री योगन्द्र शर्मा: मान्यवर, मंत्री महोदय ने सभी हम लोगों को बताया कि यह जो सबल है वह एक बड़े सबल के साथ मिला हुआ है ओकुपाइड कालमीर के सबल के साथ यह सही बात उन्होंने कही लेकिन हम यह जानना चाहते हैं कि दोनों देशों के बीच जो बातें हो रही हैं शिमला एग्रीमेंट, नो वार पेक्ट, टीटी आफ फ्रेंडशिप, कोआप्रेशन यह बहुत तरह की बातें हो रही हैं इतनी तरह की बातें हो रही हैं क्या इन बातों में ओकुपाइड काश्मीर का सबल उठा है या नहीं उठा है और यदि नहीं उठा है तो कैसे यह सब बातें हो रही हैं?

श्री पी. वी. नरसिंह राव :- बातें होने आ रही हैं। अभी हमारे जो सचिव आज जा रहे हैं वह पहला काम है उन के और हमारे बीच में कुछ मसौदे के बारे में बातचीत होगी। उस मसौदे में जो भी लिखा हो और उसको जो भी इम्प्लीकेशन हो उनके बारे में बातचीत होगी। उनके बारे में अभी वार्ता शुरू होने वाली है।

श्री योगेन्द्र शर्मा : मैंने यह पूछा है कि ओकुपाइड काश्मीर का सवाल दोनों देशों के बीच झगड़े का प्रमुख सवाल है। और न इतनी बातें हो रहीं हैं, जो बार-बार पैंट की बातें हो रहीं हैं, फ्रेंडशिप की बातें हो रहीं हैं, सारी बातें हो रहीं हैं लेकिन उस मिलसिले में ऐसी कोई बात नहीं हुई।

श्री समापति : यह आखिरी बात होगी

श्री योगेन्द्र शर्मा : अभी तक नहीं हुई है, आगे बात होगी ?

श्री वी. पी. नरसिंह राव : अभी तक जो भी हुई है स्पेसिफिक मामले पर बातचीत हुई है।

SHRI GULAM MOHI-UD-DIN: The question of integration of services is linked with the Pakistan's President's nomination to his majlis-e-Shoora of three persons from there, about which I have put a separate question, and I hope that will come up on the 13th August 1982. But here I would like to state first, the Government of India and Pakistan entered into the Simla Agreement and that ceasefire line was converted into the line of actual control. I say it is our apprehension that they are in any way freezing the issue of Kashmir because the hon. Minister says that the Foreign Secretary will go there and he will have his own agenda and that we have lodged a protest. Besides that protest, are they going to take any positive steps for removing and

undoing that illegal occupation of Pakistan, which is Pakistan occupied Kashmir, so that the main issue is settled for ever?

SHRI P. V. NARASIMHA RAO: It is interesting that they are not only not freezing it but they have said it in so many words that they do not want this to be frozen.

SHRI SYED SHAHABUDDIN: Mr. Chairman, Sir, there used to be the so-called Azad Kashmir Government. Not much has been heard of that for some time. We never recognized its existence. I would like to know the exact position in the Pakistan-occupied Kashmir, whether the administrative posts are held by the officers of the Azad Kashmir Government and whether cadres of the Azad Kashmir Government are now sought to be integrated. Sir, the integration would imply abolition of the separate cadre and the integration of those officials or at least of some of them who are considered suitable in the regular cadres of the Pakistan Government. I would like to know what is the actual position.

SHRI P. V. NARASIMHA RAO: The news-item says that President Zia-ul-Haq's military Government is reported to have decided to "integrate" the Civil Service of P.O.K. and those of Pakistan. They have only decided to integrate. We have got no details of integration, in what manner they want to do it. As far as the Azad Kashmir position is concerned, Sir I would like to inform the House that the 1973 Constitution of Pakistan does not apply to P.O.K. which has its own interim Constitution and P.O.K. is not under the martial law, as Pakistan maintains that occupied Kashmir is a disputed territory and tends to maintain its separate identity—as the so-called Azad Kashmir. So that hiatus remains. This is a limited question of whether services are being integrated and, if so, to what extent? There is only the decision.

SHRI SYED SHAHABUDDIN: What is the actual position? Does Azad Kashmir have separate cadres for its services?

SHRI P. V. NARASIMHA RAO: Otherwise the question of integration, would not arise.

MR. CHAIRMAN: Last two questions.

SHRI SADASHIV BAGAITKAR: Mr. Chairman, Sir, I would like to know from the hon. Minister whether the action taken as per the news-item, as has been rightly pointed out by my friend Mr. Shawl, is a further step after they have integrated and asked the representatives of the area to sit in their so called 'Shoora' Assembly?. That is a further step. The Government of Jammu and Kashmir have issued a statement giving the factual position, some sort of white Paper, in which they have given the historical record pertaining to all these areas. In spite of it, this is being done. Sir, may I know from the hon. Minister whether these actions of Pakistan are in no way friendly and would in no way help arrive at an understanding? Is it that they are not aware of it? Is it that these irritants are coming up because our understanding of the Simla Agreement and their understanding of this Agreement is not identical?. If the understanding had been identical, I see no reason why such a situation should have arisen. So, is it not a fact that there is a gulf that divides as far as the understanding of the Simla Agreement by the Governments of India and Pakistan is concerned?

SHRI P. V. NARASIMHA RAO: Now, I have to—sally forth into a whole discussion on the interpretation of the Simla Agreement.

MR. CHAIRMAN: 'Yea' or 'No' will satisfy.

SHRI P. V. NARASIMHA RAO: In short, the difference in interpretation does not cover this point. On this there is no interpretational difference. There is a difference on whether Pakistan could or could not raise bilateral issues in other forums. We say that they should not because that goes against the spirit of the Simla Agreement. It does not pay any dividends either to Pakistan or to India. That is a different story altogether. But, so far as Azad Kashmir or P.O.K. is concerned, our stand is very clear. It is a part and parcel of Kashmir and therefore India. Meanwhile, since they have occupied it, it is under their occupation. They are taking certain steps. Those steps would naturally be as illegal as the occupation-itself. As regards those three areas, in fact, I made a statement in the House against the action of giving representation to so-called observers from those areas and I have reiterated the Government of India position that they are part and parcel of Kashmir.

श्री जगदीश प्रसाद माथुर : हमारी स्थिति बिल्कुल साफ है। भारत का स्टैंड यह है, जैसा आपने अभी फरमाया कि सारे काश्मीर का इंटिग्रेशन भारत के साथ हो चुका है, वह कम्पलीट है।

उधर स्थिति यह है कि उन्होंने अब तक कम्पलीट इंटिग्रेशन स्वीकार नहीं किया था। वह तो इंडिपेंडेंट स्टेट्स मानते थे, जैसा कि गवर्नमेंट का स्टैंड था, वह आजाद काश्मीर कहते थे। लेकिन दुर्भाग्य यह है कि हमारे काश्मीर में वहां के मुख्य मंत्री आज यह नारा लगाना शुरू कर रहे हैं कि जो कुछ सन् 1953 में हुआ, उस से वापस लाना है जो और वहां पर यह नारा लगाया जा रहा है कि जो कुछ उन्होंने किया है, उस से ज्यादा इंटिग्रेट कर रहे हैं। यह एक ऐसी दुविधा की स्थिति हमारे सामने कंस्टीट्यूशनल पैदा हो गई है।

तो मैं मंत्री महोदय से जानना चाहता हूँ कि यह जो हमारे यहाँ की स्थिति है और उनके यहाँ की स्थिति है कि वह अपनी स्थिति अपने पास में करते जा रहे हैं। हमारी स्थिति स्वयं अपने विरोध में होती जा रही है। यह जो विरोधाभास खड़ा हो गया है, इनको दूर करने के लिए आप क्या पग उठायेंगे?

SHRI GULAM RASOOL MATTO:
Is it relevant to the question?

आपके उत्तर में आपने प्रश्न का जो पहला भाग है, उस से मेरा कोई संबंध नहीं है। वह आंतरिक मामला है, इसलिए मैं उसका जवाब नहीं दे सकता।

यहाँ तक कि हमारा स्टैंड है, और वह यह है कि सारा काम हमारा है, हमारे देश का भाग है। यही रही हमारी बात खत्म होती है। या इस जो हमारे पास है, वहाँ क्या होना चाहिए, क्या हो रहा है, किस का क्या व्यवहार है, वह सब बदरूनी बातें हैं, जिन के बारे में मैं जवाब नहीं दे सकता।

आपका प्रश्न के दो सार्वभौमिक
इस प्रश्न से क्या संबंध है?

*383. [Transferred to the 5th August, 1982.]

Grants to Central/State Universities

*384. SHRI AJIT KUMAR SHARMA: Will the Minister of EDUCATION be pleased to state:

(a) the details of the financial grants given by the Central Government to each of the Central Universities and the State Universities during the period 1978-79 to 1981-82; and

(b) the total amount of grants under various heads given by the U.G.C. during the period 1978-79 to 1981-82 to each of the Central and the State Universities?

THE MINISTER OF STATE IN THE MINISTRIES OF EDUCATION AND CULTURE AND SOCIAL WELFARE

(SHRIMATI SHEILA KAUL): (a) and (b) A statement showing the grants paid by the U.G.C. to various Universities during 1978-79, 1979-80, 1980-81 and 1981-82 under Plan and Non-Plan is laid on the Table of the Sabha [See Appendix CXXIII, Annex-ure No. 108]

SHRI AJIT KUMAR SHARMA: Sir, the hon. Minister has given her answer to one part of my question in the statement laid on the Table. The answer to Part (a) is not there. I would request her to give the answer to Part (b) also.

Meanwhile, from the statement given about the general grants to different universities, it is found that 81 State universities received round about 29 crores in 1978 while seven Central Universities received an amount of Rs. 33 crores in 1978. Now, I would like to know from the hon. Minister whether the Government has any perspective planning in financing different Universities, as it appears from the statement that while the Government is more concerned with these Central Universities, it is not so much concerned with the development and improvement of the State Universities. I would like to know what steps the Government proposes to take to improve education in all the State Universities, not only the Central Universities but also the State Universities. I would also like to have in this respect a specific answer to part (b) also where I wanted to know the financial grants given under various heads like, say, for buildings, for teachers pay, for advance training, etc.

MR. CHAIRMAN: How can you bring it under part (b)? It says total amount.

SHRI AJIT KUMAR SHARMA: The grants under various heads.

MR. CHAIRMAN: The way you ask the question, it is vague. How can you ask the question when you have asked for the total amount?