

Shri G. Mohan Kumaramanglam]

he action taken against Mr. Srivastava was perfectly *bona fide*. Ultimately it is a matter for the tribunal to decide.

Secondly, the hon'ble Member asked me. How is it that 10,000 people joined a strike? Does it not show a not very happy state of affairs? I think the management itself is quite conscious of the fact that a strike taking place on issues like this or any other issue is not a happy thing. Therefore, they will certainly examine to what extent their policies have contributed to it, how they should improve their work and see to it that such strikes do not occur again. But you will appreciate that these things are not always solely in the hands of the management. There are other gentlemen and other forces at play who also act in a way which may not contribute towards the health of the project. That also plays its own part. Therefore, it is not merely a question of 10,000 people going on strike but also of other individuals coming into operation for their own reasons which have also contributed towards this unfortunate situation.

MOTION FOR ELECTION TO THE NATIONAL SHIPPING BOARD

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI J. M. MEHTA) : Sir, I beg to move.

"That in pursuance of clause (a) of sub-section (2) of section 4 of the Merchant Shipping Act, 1958 (44 of 1958), read with sub-rule (2) of rule 4 and rule 5 of the National Shipping Board Rules, 1960, this House do proceed to elect, in such manner as the Chairman may direct, one member from among the members of the House to be a member of the National Shipping Board in the vacancy caused by the retirement of Shri Lokanath Misra from the membership of the Rajya Sabha on the 2nd April, 1972."

The question was put and the motion was adopted.

MR CHAIRMAN : The programme for election to the National Shipping Board

will be published in the Parliamentary Bulletin

MOTION RE. AGREEMENT ON BILATERAL RELATIONS BETWEEN INDIA AND PAKISTAN, SIGNED AT SIMLA ON 2ND JULY 1972

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH) : Sir, I beg to move

"That the statement made in the Rajya Sabha on 31.7.72 regarding the Agreement on bilateral relations between India and Pakistan, signed at Simla on the 2nd July, 1972, be taken into consideration."

Mr Chairman, Sir, I have no intention to make any further statement today and in order to accommodate the hon'ble Members who, I know, are anxious to participate in this debate, I would not like to take any more time. I have already made a statement giving the salient features of the Simla Agreement when I placed a copy of the Simla Agreement on the Table of this honourable House. With these words I commend this motion for adoption.

DR BHAI MAHAVIR (Delhi) : Sir, I move :

1. "That at the end of the Motion, the following be added, namely :—

"and having considered the same and noting that :

(a) the Agreement fails to assure 'durable peace' which the Prime Minister had solemnly promised to obtain through a 'package deal' with Pakistan,

(b) 'bilateral negotiations' and 'causes of conflict which have bedevilled the relations between the two countries for the last 25 years shall be resolved by peaceful means' mentioned in the Agreement have lost all meaning after President Bhutto's declaration in the National Assembly of Pakistan that he was free to raise the Kashmir issue in the U. N. O.,

and that Pakistan would 'shed its blood', 'whatever the consequences' to support any 'Liberation War' launched by Kashmiris to free themselves from the 'Indian Yoke' ;

(c) about 5,000 sq. miles of territory now under control of Indian Army is being restored back to Pakistan without requiring the Pakistani Army to vacate the 30,000 sq. miles of territory in Kashmir which is legally and constitutionally part of India ;"

this House disapproves the Agreement.' "

SHRI J. P. YADAV (Bihar) : Sir, I move :

2. "That at the end of the Motion, the following be added namely :—

'and having considered the same, this House disapproves the Agreement'."

SHRI N. G. GORAY (Maharashtra) : Sir, I move :

3. "That at the end of the Motion, the following be added, namely :—

'and having considered the same, this House disapproves paragraph 4 (ii) of the Agreement which deals with Jammu and Kashmir'."

SHRI LAL K. ADVANI (Delhi) : Sir, I move :

4. "That at the end of the Motion, the following be added namely :—

'and having considered the same and noting the reference to 'a final settlement of Jammu and Kashmir' in the last paragraph of the Agreement, this House urges upon the Government to keep in view during the proposed discussion the fact that whole of Jammu and Kashmir State, including areas under the illegal occupation of Pakistan and China, is an integral part of India'."

SHRI DWIJENDRALAL SEN GUPTA (West Bengal) : Sir, I move :

5. "That at the end of the Motion, the following be added namely :—

'and having considered the same, this House regrets that the whole process including the signing of the Agreement without taking Parliament into confidence, was undemocratic'."

SHRI BHUPESH GUPTA (West Bengal) : Sir, I move :

6. "That at the end of the Motion, the following be added, namely :—

'and having considered the same, this House welcomes the Agreement as a significant constructive step in the direction of achieving amity and good neighbourly relations between India and Pakistan and a durable peace in the sub-continent and with this hope and confidence the House calls upon our people to mobilise with determination their united will and effort for the implementation of the Agreement'."

MR. CHAIRMAN : The next amendment stands in the name of Shri D. P. Singh and Shri Yashpal Kapoor. They are not present. Next, Shri N. H. Kumbhare.

SHRI N. H. KUMBHARE (Maharashtra) : Sir, I move :

8. "That at the end of the Motion, the following be added, namely :—

'and having considered the same, this House welcomes the Agreement as a significant constructive step in the direction of achieving amity and good neighbourly relations between India and Pakistan and a durable peace in the sub-continent and with this hope and confidence the House calls upon our people to mobilise with determination their united will and effort for the implementation of the Agreement'."

The questions were proposed.

MR. CHAIRMAN : Now, the Motion and the amendments are open for discussion. Mr. S. D. Misra.

SHRI S. D. MISRA (Uttar Pradesh) : Mr Chairman, Sir, the 25 years' history of country after independence has been a struggle between India and Pakistan. We have seen three wars with Pakistan and every time the war was started by Pakistan against India. Even the latest war was started by Pakistan against us.

[MR. DEPUTY CHAIRMAN in the Chair.]

There has always been mounting tension in this sub continent . . .

SHRI D. P. SINGH (Bihar) : Mr. Deputy Chairman, may I move my amendment ? I just happened to be not here at the relevant moment. I missed it by a split-second. Not even half a minute has passed.

SHRI PRANAB KUMAR MUKHERJEE (West Bengal) : He should be allowed, Sir.

SHRI DWIJENDRALAL SEN GUPTA : Allow it.

(Interruptions)

डा. भाई महावीर : इस सरकार को आपके अमेडमैंट की क्या जरूरत है ?

(Interruptions)

श्री जगदम्बी प्रसाद यादव : यह कैसे हो सकता है ?

डा. भाई महावीर : अमेडमैंट पुकारा गया, वह नहीं थे, स्पीच शुरू हो गई :

श्री ता० कृ० शेजवलकर (मध्य प्रदेश) : यों तो कोई बात नहीं है लेकिन यह गलत प्रसिडेंट हो जाएगा, फिर सबको एकोमोडेट करना होगा ।

MR. DEPUTY CHAIRMAN : It is the same amendment which was already moved by Mr. Bhupesh Gupta.

SHRI N. K. SHEJWALKAR : It will become a precedent for the future.

आप एक मिनट के बाद आये तो कोई पाच मिनट के बाद आयेगा ।

MR. DEPUTY CHAIRMAN : Yes, you continue your speech, Mr. Misra.

SHRI N. K. SHEJWALKAR : What happened to the amendment ?

MR. DEPUTY CHAIRMAN : It is identical to the amendment which was moved by Mr. Bhupesh Gupta and Mr. Bhupesh Gupta's amendment will be put to vote. So the question of Mr. Singh's amendment being put to vote does not arise.

SHRI S. D. MISRA : Every time it was Pakistan which attacked India. During these 25 years, the tension between the two neighbours, India and Pakistan, has been very evident. Even last time on some plea or the other India was attacked by Pakistan. We have had three or four agreements with Pakistan even before, like the Noon Pact and the Tashkent Pact. And this is the Simla Pact. To the extent that there is relief in the tension, it gives us some hope and we welcome the Simla Agreement. Our party or our President of the Congress has welcomed this Agreement to the extent that there is relief in the tension. We were getting really hopeless. At Simla there were discussions between our Prime Minister and the President of Pakistan, and for three days it came out that the talks were breaking down. And the result of breaking of the talks would have been really disastrous according to us. Therefore, if the talks were still on and if they did not break, to that extent also it was an anti-climax; and suddenly on the last day, rather in the night at 12 O' clock, something happened miraculous. We do not know. Somehow the talks were saved. Therefore, we are happy and we welcome this Simla Agreement to that extent. We also welcome this because we hope that the two neighbours, that is, India and Pakistan, which have not lived in peace since the last 25 years, will, at least in future, find ways and means to live in peace. This is only a first step surely. I am sure our Prime Minister and her Government will soon have further talks and not lose much time, no let time pass, because even after the Simla Agreement,

we find that there are tensions growing. With our Foreign Minister giving some statement, our Prime Minister giving some statement and the President of Pakistan and the authorities and spokesmen of Pakistan giving some other statement, on the same clause there are different interpretations. And our Foreign Minister somewhere not here, said that probably Mr. Bhutto was speaking for some consumption. I do not know whether he was speaking for home consumption. I do not know whether and how far our Foreign Minister here is speaking for home consumption. At least we in this country are, and everybody in the world is, entitled to one interpretation from the President of Pakistan, our Government, our Foreign Minister and our Prime Minister Sir, it is unfortunate that there is some disappointment in this country about the Simla Pact. There is disappointment I must say. And that disappointment is the direct result of what the Government itself has created. I must say the Government spokesmen, including the Prime Minister, before they went to Simla, created high hopes and talked of package programme, package deal, etc. And when those high hopes are not realised, naturally they will be blamed. Why create these high hopes? After all, there was a pre-summit conference between Mr. D. P. Dhar and Mr. Aziz Ahmed when you could have understood these were the limitations. We welcome this Agreement not because it solves the problems. I must say it does not solve the problems. But it is a first step, only one of the steps which may solve the problems. And now, what was a package deal has become a packet deal or a patch deal, not even a deal. It is just a talk. The analysis of the solution to the conflict between Pakistan and India is not in more exchange of some hundred or thousand miles of territory. If this was so, we are not worried that Pakistan has got back 5000 sq miles of its area. They deserve it because it is their area. We find that the ultimate solution which should have come to the problems that exist is not in sight. And therefore, I say, let the second summit meet. Let us not waste time. Our Foreign Minister, our Prime Minister, should immediately try to have the next summit and come to the point. What are the problems? How has any of these problems been solved by this Agreement? We thought that there would be a no war pact, we thought that there would be something like a declaration

that there would be reduction of arms, we thought that there would be a real solution to the Kashmir problem, we thought that there would be a real bilateral talk. Now there is some mention of the bilateral talk undoubtedly in the Agreement. But how is this talk going to be? As soon as you come out of the conference table, the President of Pakistan goes to Islamabad and he says that Kashmir is not out of UNO. He says he will support any rebellion in Kashmir. If he is still thinking that UNO is the forum for Kashmir issue, what do you think about it in spite of your interpretation that it is a bilateral agreement? There has been no No War Pact for which we have been trying for the last 25 years, there is no agreement on reduction in arms budgets by Pakistan and us, there is no solution to Kashmir problem and virtually there is no likelihood of bilateral talks, though you may say that there will be bilateral talks. If the Foreign Minister can bring about the above results, we will be happy. Future will judge you and this agreement will be looked at from that angle. Today we welcome this. But why I am cautioning you is that the country is a little disappointed because in spite of whatever you may say, Pakistan got back its lost territory. India did not get back its lost territory in Kashmir. We had also lost some 3,000 sq miles to Pakistan in Kashmir at some time. Pakistan is getting back 5,000 sq miles and some argument is coming up from Government spokesmen sometimes that no blade of grass grows in this area and they are all desert areas. Such arguments, I must say . . .

SOME HON. MEMBERS Not in respect of this land

SHRI S. D. MISRA I saw in the papers. I correct myself.

श्री कल्याण चन्द (उत्तर प्रदेश)
सरकार ने ऐसी बात नहीं कही थी।

श्री एस० डी० मिश्र : आप क्लैरिफाई न करें क्योंकि मिनिस्टर साहब यहाँ पर है। अगर आप बोलना चाहते हैं तो बोल लें, मैं बाद में बोलूँगा।

[Shri S Mohan Kumramanglam]

What I was saying was that it is not a question of fertility of the area. It is just a question of reaching a bitter and final solution to our problems. To the extent this Summit will lead to a second Summit and that Summit will result in the real solution of our problems which I have enumerated, we will welcome it. We will welcome it today because this Simla Agreement gives you another opportunity to meet and discuss and come to certain lasting solutions. We request you not to waste time or take 3 or 4 months in preparation. You go strongly, have a meeting with Mr Bhutto and come back with some concrete results.

As I said, Kashmir problem is very disappointing to us. I have a feeling that this problem is not being handled properly. Release of the Sheikh just before the Summit was not, according to some of us, a very wise step. He is going on giving statement after statement which have no meaning, contradicting himself. This has complicated the issue of Kashmir. He sometimes supports us, sometimes he supports self-determination, sometimes he goes to the previous history of 1947-48 and then again he talks of his religion. His release just before the Summit was a further complication in the matter. If you think it was a proper step and he will heed your advice, either the Foreign Minister or the Prime Minister or any of your spokesmen should tell him that he should behave properly.

Otherwise, his place is not there where he is today. According to me, Sir, that was not a wise step. I may be wrong. But, I think so. You thought that the atmosphere was very much in your favour. But, according to us, that atmosphere is not in your favour through him, but it may be through events.

Then, Sir, President Bhutto's statement, Sheikh Abdulla's statement and Mr Bhutto's statement after his going back to Pakistan, all these are really confusing. He says something opposite to what our Foreign Minister says and our spokesmen say. Therefore, Sir, while we have high hopes about the Simla Agreement, we will only request you to be very watchful. The other day, the Prime Minister talked of Asia and

South Asia in the other House. We are happy that there appears to be some re-orientation in our foreign policy. Some of us on this side have always been saying that our policy regarding South and South-East Asia is not properly appreciated by the world. Take, for example, our immediate neighbours. Take Sri Lanka, take Malaysia, take Thailand, and take Indonesia. Of course, I am not mentioning Pakistan because Pakistan has fought three or four wars with us. These countries always misunderstand us. In 1965, when there was the war with Pakistan, Malaysia supported us. But Sir, the Arab World even then supported Pakistan. Malaysia, though a Muslim country, supported us in 1965 war. But, Sir, now as I see in the papers, even Malaysia is not with us. Therefore, when you talk of Asian security, you should have some consideration for our neighbours and you should really think of real non-alignment. According to our understanding their complaint against their Big Brother, that is, India, is that we are with the Powers and so we are aligned. Sir, last year, I had been to Thailand, Philippines, etc. I had personal discussions with some officers and some senior people in the political hierarchy and I was told at least that is the impression and that impression should be washed off from amongst our neighbours—that our Government is aligned with Russia. I am not saying that you are aligned. But it is your duty as Foreign Minister to remove that impression and your Foreign Office and your Ambassadors must take the opportunity and wash off this impression. Why should this happen? Therefore, mere statements about neighbours will not help, but only actions will help and I am sure that the Government will see that there is real brotherly feeling amongst the countries in Asia and also amongst our neighbours.

Sir, it will be the happiest day when there is real agreement between Pakistan and India. I find that such agreements have been three or four so far. But there are only words. We are trying to compare the words in the Tashkent Agreement and those in the Simla Agreement. There is a competition in the choice of words. Somewhere the Tashkent Agreement itself seems better and somewhere the Simla Agreement seems to be definitely better. But, apart

from mere words, what happened after Tashkent ? There was again war between India and Pakistan. Therefore Sir, we are not to go by the words of the enemy countries who give some statements for home consumption. We do not expect you also to give something for home consumption and something else for foreign consumption. It will be the most fatal and disastrous thing if that is the politics of the world.

AN HON. MEMBER : It is also a part of the agreement.

SHRI S. D. MISRA : No, I do not agree that it is a part of the agreement.

Sir, I have already welcomed this Agreement. I am not saying anything in a spirit of criticism. You should not misunderstand. It is the spirit behind the Simla Agreement which we support, because we feel that it may really bring in an ultimate solution of the problems I have stated. And it is no new problem that I am stating. This problem is before the country.

It is said that this Government could not have done better than what they have done at Simla. Sir, I am not going to analyse what could have done better, because when across the table there are two parties there is always give-and-take. Therefore, it may be that the Government was in difficulties. As I said, we were getting disappointed for the first three days when we heard the radio and read newspapers that the talks were failing. Something miraculous happened. What is that miraculous thing that happened ? The allegation is that foreign influence was there. Of course, the Foreign Minister has denied, the Prime Minister also denied. I take that denial as correct. But, they must state this very categorically that it is neither Russia nor America because these are the two powers. Of course, China may be there, but China does not come into the picture.

संसद कार्य मंत्रालय में राज्य मंत्री (श्री ओम् मेहता) : आप बनारसी दास जी से पूछ लीजिए ।

श्री एस० डी० मिश्र : आप तो मुझे सलाह देगे नहीं । मैं बनारसी दास जी से ही पूछूंगा । ऐसी सलाह आप क्यों देते हैं जिसमें कोई वजन ही नहीं है ।

Sir, I will like to state another problem. After this Agreement, what will happen to thousands and thousands of people. This country has been a refugee centre somehow since the last 25 years. Its independence started with refugees. Then there were once, twice, thrice refugees. It may be fourth, fifth or sixth time. Now, what will happen to those Sindhis and those Hindus who have come to that area of 5,000 square miles, living in the hope that they will continue to live there ? Where will they go ? I do not see any statements from Mr. Bhutto about this. Of course, I see statements of Government spokesmen here. But it is just like the statement which Sardar Swaran Singh made some time ago in this House about the Russian map, saying that it would be corrected by Russia to our satisfaction. But never has there been any statement from Mr. Kosygin or his associates in Moscow. Similarly, we have seen no statement from Pakistan also about our refugees as to what they are going to do about it. I shall request this Government to see that these refugees go back to Pakistan and are given the right treatment. In case that is not done, on humanitarian grounds, on many other grounds, you should treat this problem as your own problem as we treated the refugees of Bangla Desh and others. Of course, they were temporarily here. But we may have to keep them permanently. Therefore, a permanent solution has to be found out. And it is better that even before the next summit talks with Pakistan, through some agency, have a discussion on this issue. You must have given thought to this matter, I am sure. There was some statement from the Prime Minister or somebody yesterday about this problem. President Bhutto is a Fascist. What is democracy there ? Some person is nominated. Here we have a completely elected Government. Of course, there also they are elected but then there is a difference in their democracy and our democracy. Here it is a completely elected Government. He takes into confidence all the opposition parties and the National Assembly for the

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Agreement. And before the Summit he summoned all the opposition parties and took them physically to Simla.

You see what has happened here. Opposition parties were not consulted; opposition parties were not invited to Simla. And after that Agreement Parliament is being given the opportunity of *post mortem*. Just two or three days before Parliament was to begin the President's assent is there. Of course, technically you may be right; legally you may be completely right; constitutionally you may be right. But what harm would have been there to this democracy or to you or to this Agreement if you had just waited for another three, four or five days and given Parliament the opportunity. Even then you could have got the approval with your massive majority. For anything you have so much of majority. . . (*Interruptions*). . . If Mr. Kesri gets up and says "Now it is night" it will be approved. Therefore, that problem is no more there. There are Kesris and Kesris and their followers. . . (*Interruption*).

Sir, I may be allowed to go on. Why this interruption ?

MR. DEPUTY CHAIRMAN : Mr. Misra, you will have to conclude now.

SHRI S. D. MISRA : Sir, I will take some more time.

MR. DEPUTY CHAIRMAN : But there is one more speaker from your party, I am told.

SHRI S. D. MISRA : That we will decide—whether you will give time. I want ten or fifteen minutes more.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : You can continue after lunch.

MR. DEPUTY CHAIRMAN : How much time will you take ?

SHRI S. D. MISRA : Fifteen minutes.

MR. DEPUTY CHAIRMAN : You do not have that much time; even your party does not have that much time.

SHRI S. D. MISRA : After lunch I can finish.

MR. DEPUTY CHAIRMAN : Either you take ten minutes more and no other speaker from your group speaks. . .

SHRI S. D. MISRA : That guarantee, I am afraid, it will be difficulty to give.

DR. BHAI MAHAVIR : If he can speak for fifteen minutes let him continue after lunch. Let us break for lunch.

MR. DEPUTY CHAIRMAN : If the party has one more speaker it is better he conclude in five more minutes.

SHRI S. D. MISRA : That we will decide later.

DR. BHAI MAHAVIR : They say they are not expecting another speaker.

MR. DEPUTY CHAIRMAN : Conclude in ten minutes.

(*Interruptions*)

SHRI S. D. MISRA : Therefore, as I said, the Agreement is in two parts—one dealing with the issue of the recent conflict with Pakistan and the cease fire and the other expounding the principles which should guide the two countries in resolving the basic differences. As regards the cease-fire, etc., these are temporary problems. We are not interested in taking over the territory of Pakistan either by conquest or by any other means because we do not want to buy head-aches. If we take the territory of Pakistan it will be just buying head-aches and nothing else. We are not interested in that. Therefore, that problem you have only temporarily solved.

There is another disappointing aspect of this cease-fire territory. We return 5,000 square miles and take 50 miles of what they had taken. But on the Kashmir side you should have been really alert and you should have really taken and given. You have only talked and reactivated the problem of Kashmir. You may solve it at the next Summit—that is different. We have yet to see that statements of Mr. Bhutto, the President of Pakistan.

SHRI SITARAM KESRI (Bihar) : Have you read between the lines, of the Agreement ?

SHRI S. D. MISRA : I am not so intelligent as to read between the lines.

SHRI SITARAM KESRI : Then you accept my intelligence. Thank you very much.

SHRI S. D. MISRA : I always appreciate and still appreciate your intelligence.

I am sure at least when the Prime Minister is there you will not sit quiet. Not only you, there are some others also but that is another problem

MR. DEPUTY CHAIRMAN : You must try to wind up now.

SHRI S. D. MISRA : Sir, you ask him. He is disturbing me, what can I do ?

As regards the founding principles which should guide the two countries in resolving the basic issues and causes of conflict which have bedevilled the relations between the two countries in the last 25 years we have not seen any high hopes in this Agreement excepting that there will be another summit. Let us hope and pray that this second summit will really solve the problem.

On more aspect of Kashmir I would like to point out and that is with regard to the problem of integration of Kashmir. We are bewildered that in every session of Parliament there are Bills from almost every Ministry coming up in which it is said that this Act will now apply to Jammu and Kashmir. Now even after 25 years of independence if Kashmir which is considered to be part of India which all the Government spokesmen have always said and even today say, is part of India, is not completely integrated how would we claim before the world that Kashmir is ours ? Neither Kashmir feels that India is theirs nor India feels that Kashmir is ours There is some reservation in your mind.

SHRI SYED HUSSAIN (Jammu & Kashmir) : You are wrong.

SHRI S. D. MISRA : If I am wrong, I am happy.

SHRI SYED HUSSAIN : This may be your presumption, a presumption will never take you anywhere.

SHRI S. D. MISRA : If I am wrong I will not be sorry because this is a national issue.

SHRI SYED HUSSAIN ; It may be your individual opinion but the nation does

not think like that, nor the Kashmiris think like that. You must excuse me for this interruption

डा. भाई महावीर यह प्राइम मिनिस्टर को कहने दीजिये, आप पर ही क्यों छोड़ा जा रहा है ।

SHRI S. D. MISRA : I was saying, Sir, that this problem must be solved at least now after 25 years. I am sure the Foreign Minister and the Prime Minister will exercise their minds on this. Sir, can I today go to Kashmir—let him answer this question—and by a piece of land as an Indian ? No, not at all. Can I seek election as a Member of the Lok Sabha from there ? Again, no. But here is Mr. Om Mehta, Dr Karan Singh and others and the latest is Mr D. P. Dhar They can not only become Members of the Rajya Sabha and Lok Sabha but they can be Ministers also. I am not only talking about them but about others also who are Members. These are small matters but there are many such matters where there is disparity. I say you yourself are creating this cleavage I am not saying that you should go with your army, march into Kashmir, and try to settle these things You must convince them, persuade them, tell them that it is in their interest. I am sure Sardarji will look into this because any visitor going to Kashmir, even an ordinary tourist, when he comes back to this country comes with the feeling that there is lack of integration between Kashmir and India Why is it so ? The time has come when there should be real integration.

SHRI SYED HUSSAIN . It may be somebody from an imperialist country like America The reporting may be on that basis, otherwise every patriotic Indian who goes to Kashmir will find that Kashmiris are Indians.

SHRI S. D. MISRA : I know patriotism is your monopoly these days.

But you cannot level charges against many of the other parties that they are not patriots This is probably not your charge, and patriotism is not your monopoly. Therefore if we make a point, it is not that we are unpatriotic and therefore we are making the point. It is the patriotism alone which is driving me to make that point, and I must say it is unpatriotic to talk like that. Even after twenty-five years this is the posi-

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tion regarding Kashmir, and you yourself will say after a few years that "we made such a statement and we were wrong." Don't you think? You are in the Government today. Can you be sure of this position tomorrow? I was in your Government till yesterday; today I am not there and I am in the Opposition. So, who can say what is going to happen tomorrow? Within a period of three years a lot of currents and undercurrents and division of the Organization, and things, good bad and indifferent, have happened. Therefore, try to judge issues on merits, not on sentiments, and all the advice you give me is based on your sentiments, not on realities of the situation.

Sir, I won't take much more time and make you get impatient. Even though you promised to give me ten minutes, you have given me only eight minutes, and I am sure, if I go on speaking, you will go on ringing the bell. Therefore, Sir, with these words I support the Simla Agreement, the spirit behind it, in the hope that this Government will be able to bring about a permanent solution to this problem, not in the distant future but very immediately, and that the summit conference, the next one, will be held not after months but within weeks.

Thank you.

MR. DEPUTY CHAIRMAN: The first speaker after lunch will be Shri Bipinpal Das. The House stands adjourned till 2 15 P. M.

The House then adjourned for lunch at twenty-three minutes past one of the clock.

The House reassembled after lunch at quarter past two of the clock, MR. DEPUTY CHAIRMAN in the Chair

MR. DEPUTY CHAIRMAN: Mr. Bipinpal Das,

SHRI THILLAI VILLALAN (Tamil Nadu): Before that, with you permission, I wish to say that I was not present when the amendments were moved . . .

MR. DEPUTY CHAIRMAN: No, no. Amendment is over now.

SHRI BIPINPAL DAS (Assam): Mr Deputy Chairman, Sir, at the very outset I would like to offer warm congratulations to the hon. Prime Minister, to the hon. Minister of External Affairs and the entire Government for having taken a bold and significant step in the direction of durable peace by signing the Agreement at Simla with the President of Pakistan. The Simla Agreement may not have, by itself, solved all our problems with Pakistan but I have absolutely no doubt in my mind that this is a sound and excellent beginning, a right step in the right direction, and who knows that this agreement may ultimately turn out to be the herald of a new era, an era of peace, progress and prosperity not only for India and Pakistan, but for the whole of Asia and perhaps a shining light-house for the entire world. To win peace is much more difficult than to win a war. By signing this Agreement, our Government and our great Prime Minister have shown the same courage matched with wisdom, the same determination matched with skill, the same firmness matched with vision and the same self-confidence matched with far sightedness as they did in the war last year. Once again I congratulate them for giving a correct lead to the nation at the most critical juncture of its history.

I look at the Simla Agreement from three different angles. Firstly, we are inheritors of a great civilisation which has taught us throughout ages one great principle of peace, tolerance and mutual accommodation. This great country of ours, land of lofty thoughts and ideals did certainly export thoughts and ideas to countries all around, did certainly establish friendly relations with others through trade and commerce, but never in history did India try to grab others' territories, nor have a design on another nation's land or property. From Asoka down to Gandhi our great saints, leaders and rulers held a loft only one message, the message of peace, friendship and co-operation. It is in keeping with this great tradition that Nehru initiated the policy of non alignment and the great principles of peaceful co-existence. And now what our Prime Minister has done at Simla on the 2nd of July last is nothing but to uphold and honour those very high principles, our great traditions and our proud heritage. Anybody who opposes the Simla Agreement is, in my humble opinion, not

only against the spirit of our times, but also against the very soul and the spirit of our great civilisation.

Secondly, Sir, I look at this Agreement in the context and in the background of the recent developments in the international scene. The West European countries, in spite of deep political and historical conflicts and differences, have come together to form what may be called an economic confederation. The sharp ideological difference between the East and the West of Europe has not been able to resist the pressure of compulsive factors of real-politic and there are positive moves for a *detente* and for a European security system. In spite of all their conflicts and confrontation, ever since the close of the second world war and right up to this day, the USA felt compelled to come to terms with Moscow and Peking on a number a vital issues. All these trends towards a global *detente*, indicating that the forces of peace and co-operation are forging ahead by pushing back the forces of war and confrontation, make it imperative for India to continue her struggle for peace in this sub-continent with much more vigour and much more determination. In any case we cannot afford to be fools so as to be occupied with fruitless confrontation with all the attendant miseries of poverty and backwardness, when the affluent nations have chosen the clever path of peace and further prosperity. For hundreds years the forces of world imperialism have taken full advantage of the poverty and backwardness of the poor nations of Asia, Africa and Latin America, have exploited them, have divided them, have made them fight against each other only in order to keep them eternally poor and backward, to maintain them as permanent colonies for free exploitation and to prevent them from coming up to play their honorable roles in the international field.

Should we consciously become tools in their hands or become victims of their designs? Certainly not, and Simla is the indication of our firm and determined resolve. Those who oppose this agreement are consciously or unconsciously acting as the agents of those external imperialist forces and in that sense their conduct has proved to be inimical and hostile to the true

interests and aspirations of the millions in this sub-continent.

Sir, my third consideration is what were our objectives in the last year's war? Let us remember that it was not we who started the war. We forced to take up arms when we were suddenly attacked and in the course of defending our security and sovereignty we had to enter Bangla Desh as well as Pakistan. But we made it abundantly clear at every stage before the war, during the war and also immediately after the war that we had absolutely no design on Pakistani territory. We helped the Mukhti Bahini to liberate their country because the situation then obtaining in Bangla Desh constituted a constant and serious threat to our own security and independence. But we did not go there to conquer Bangla Desh. When Pakistan army surrendered we handed over the country to the people and Government of Bangla Desh and withdrew all our forces. We wanted peace to be established in that part of the world and once that was accomplished we decided to pull out. Let us also remember that immediately after the surrender of the Pakistan Army in Bangla Desh, the same day we declared unilateral ceasefire in the western front, and why? Because we were convinced that the immediate threat to our security and independence had almost disappeared, Pakistan was decisively beaten and we never had any intention to conquer Pakistan. That single act of unilateral cease-fire, Sir, was a master-stroke of military skill and strategy, of political wisdom, and may I also submit, in the ultimate analysis a great diplomatic victory achieved by our Prime Minister. It was therefore clear at every stage that we never wanted to grab Pakistani territory, and so our decision at Simla to withdraw our forces across the international border was not only correct, just and wise but also absolutely in keeping with our declared objectives. First by the cease-fire and now by agreeing to withdraw our forces from Pakistan territory we have established our *bona fides* beyond anybody's doubt and I would say that our Prime Minister has given a new lead to the whole world in this regard.

We have been asked what we have gained or achieved at Simla. In my humble opinion we had four major achievements to

Shri Bipinpal Das]

our credit. For long years we have been proposing a no-war pact between India and Pakistan, and all these years Pakistan has refused to agree to it. But now President Bhutto has put his signature to a firm commitment that there will be no threat or use of force for settlement of disputes. This in my opinion almost amounts to or comes very near to a no-war declaration. Secondly, for the first time both the countries have agreed to settle all disputes not only by peaceful means but also by bilateral negotiations. Involvement of any third party, friend or foe, always creates complications and does not lead to real understanding and peace. So I think that the acceptance of the principle of bilateralism by Pakistan as the only means of settling disputes is a major diplomatic achievement from our point of view. Thirdly, President Bhutto has also put his signature on the Agreement that "Neither side shall unilaterally alter the situation and both shall prevent the organisation, assistance or encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations" Sir, I need hardly point out and emphasise the significance of this clause which will naturally relieve us of much of our worries about the borders, and particularly about Kashmir. To obtain such a commitment from Pakistan is certainly a significant thing.

Fourthly, I would emphatically say that we have compromised nothing about Kashmir, whereas Pakistan's agreement to recognise the line of actual control and their commitment not to use force to finally settle the problem is, in my opinion, a very significant advance of our cause and stand with regard to Kashmir. Because rejection of the cease-fire line of 1949 amounts to deinternationalisation of the Kashmir issue and denial of any further role of the UN in this matter. This has not only brought about a radical change in the situation but has also improved our position very much.

Sir, I do concede that the Kashmir problem has not been finally settled or solved. As I said earlier, we have never claimed that all the problems have been settled at Simla. This is only a beginning. We have yet a long way to go to establish permanent and durable peace between the two countries. None can expect to solve everything in one single meeting. The Pakis-

tani mind has been trained in a particular line, in a particular direction and with a particular philosophy. We must give them reasonable time to revise their attitude. But none can deny that we have made a very significant start at Simla and, if the Agreement is honestly and faithfully implemented, it is bound to lead to further fruitful and more significant agreements on other issues and thus, to an era of lasting peace in this sub-continent.

Some people have referred to President Bhutto's speech in Pakistan's National Assembly, particularly to his remarks about Kashmir. Sir, we all know Mr Bhutto for the last 20 years and he has been saying different things about our problems at different points of time. Some time ago, Mr. Bhutto talked about a thousand years of war with India. When questioned about it in the last session of the Pakistan National Assembly, President Bhutto explained it away as nothing but a metaphysical concept. Who knows, what he said about Kashmir recently in the same Assembly may also ultimately turn out to be another metaphysical concept.

SHRI S. D. MISRA : If this is the argument, you cannot depend upon Mr. Bhutto.

SHRI BIPINPAL DAS : You are entitled to have your own meaning. I have only said that he talked about a thousand years of war and has said that it is a metaphysical concept. And who knows what will become of tomorrow ? We are not to go by what any particular Pakistani leader says or does not say. We have to depend upon what the Government of Pakistan has committed to us in writing and how they implement their commitments. After going through the recent speeches of President Bhutto, I have come to believe that he is at least sincere about the Simla Agreement and intends to implement it. But the basic question is not how much reliance we can place on Mr. Bhutto or Pakistan. The real question is how much we can rely upon ourselves. (Interruptions) That has been established last year—how much the people of this country and the Government of this country have relied upon themselves—that has been amply shown, in spite of all your doubts.

Sir, there is no need to be unnecessarily pessimistic about implementation. No man, no nation, conscious of its strength and ability to face any situation, gives way to pessimism. We have to follow the saying "Hope for the best and be prepared for the worst." And I am confident that our Government and our people know—and have given enough evidence already—as to how to face any situation as and when it arises. Sir, the funniest and most childish story circulated by some small-minded people is that our Prime Minister was compelled to sign the Agreement under telephonic pressure from Russia. These very people used to say last monsoon that we did not recognise Bangla Desh because of Russian pressure. When we did it, it was again the same Russian pressure. Whether we decided to fight back Pakistan or we declared unilateral cease-fire, it was all under Russian pressure according to these people. They see the Russian ghost everywhere and every time. What can I do? Now, Sir, tell me how to answer the arguments of these gentlemen. If they suffer from some kind of mental disease they can be treated only by a psychiatrist and not by us. I would like to challenge these people to produce a single and slightest evidence to prove that Russian hand was anywhere near the Simla Agreement, either directly or indirectly. If they cannot prove they should publicly apologise for spreading such a canard. It is a matter of shame and disgrace that we have still some people among us who can degrade themselves so much that they do not hesitate even to humiliate the whole nation by such kind of stupid talks only in order to serve their petty and narrow political interests.

Whether it is war or peace, only that nation succeeds which has invincible faith in itself, in its own strength and ability to face any situation with courage, conviction and determination. This nation stood the test of a war only last year under the bold and imaginative leadership of our Prime Minister. I am confident that under the same leadership this nation will march forward towards the achievement of a durable peace in this sub-continent, regardless of whatever little noise a handful of chicken-hearted people may make either out of a panic or out of lack of self-confidence or out of a desire to fulfil ulterior motives or, perhaps, out of an anxiety for political survival.

डा० भाई महावीर : उपसभापति जी, शिमला समझौते की चर्चा में सरकारी पक्ष की तरफ से जो भाषण हो रहे हैं, मैंने बहुत कोशिश की कि उन भाषणों में किसी दलील को पा सकूँ, किसी तर्क को ढूँढ़ सकूँ, जो कि उसकी आलोचना में हम लोगों ने सवाल उठाये हैं, उस के जवाब के तौर पर ग्रहण किये जा सकें, लेकिन जितना मैं उन भाषणों को सुनता हूँ और जितना पढ़ता हूँ, अभी मेरे माननीय मित्र जो बोल रहे थे, वह भी उसमें कोई अपवाद नहीं, उतना ही मैं संस्कृत की उस कढ़ावत को याद करता हूँ—शेषम् कोपेन पूरयेत्, अर्थात् जहाँ दलील खत्म हो जाय, जहाँ तर्क साथ न दे, जहाँ पर कोई मंतक बाकी न बचे, उस कमी को गुस्से से भरिए और गुस्से के लिए विशेषण, जितने विशेषण ढूँढ़ जा सकें, उनको ढूँढ़ कर जहाँ चाहें चलते जाइये। आज सवेरे की कार्यवाही में हमारे इस्पात मंत्री एक माननीय सदस्य को कह रहे थे कि : Adjectives are not substitute for facts. जो माननीय सदस्य उस समय यहाँ पर उपस्थित थे, मुझे इच्छा हुई कि वह उनकी बात सुन लें और कम से कम दलील का जवाब दलील से देने की कोशिश करें, बजाय इसके कि एक या दूसरे विशेषण इस्तेमाल करके अपने मन की तसल्ली कर लें।

महोदय, प्रधान मंत्री का भाषण, विदेश मंत्री जी का भाषण और बाकी कांग्रेस के और विरोधी दल जो समर्थन कर रहे हैं उन सबके सदस्यों के भाषण सुनने के बाद मैं समझ नहीं पाया कि अखिर कौन सा गुण है, कौन सी विशेषता है, कौन सी सफलता है, जिसके नाम पर शिमला समझौते की इतनी तारीफ करने की ज़रूरत समझी जा रही है। प्रधान मंत्री जी ने अपने बहुत सारे उत्साही अनुयायियों के उत्साह पर थोड़ा सा पानी गिरा दिया था जब कि उन्होंने कहा कि मैं इसको कोई बहुत बड़ी

[डा. भाई महावीर]

सफलता नहीं मानती, यह एक गुनारे वाली शुरुआत है—*it is a worth while beginning*—लेकिन मालूम होता है कि उनके अनुयायियों को यह साबित जरूर करना है कि यह एक महान ऐतिहासिक घटना है, जिसके बराबर की घटना आज तक कभी हुई नहीं और इस बास्ते उनके जोश को रोकने का कोई तरीका नहीं। परन्तु, महोदय, प्रधान मंत्री जी ने जो दलीलें दीं, जो तर्क दिए, अगर वे तर्क हैं, जो उन्होंने जनसंघ के ऊपर कटाक्ष किए मैं उन कटाक्षों का जवाब देना जरूरी नहीं समझता परन्तु मुझे लगता है कि एकाध बात कह देने से कोई हर्ज नहीं। आपने फर्माया : *Ian Sangh is a creature of partition*—जनसंघ विभाजन की औलाद है। आज तक कहा जाता रहा कि जनसंघ ने विभाजन कराया, अब कहा जाने लगा है कि विभाजन के कारण जनसंघ पैदा हुआ।

सरदार स्वर्ण सिंह : दोनों चीज हैं।

डा. भाई महावीर : अगर विभाजन के कारण जनसंघ पैदा हुआ ! (*Interruption*) प्रधान मंत्री के प्रति आपको भक्ति दिखाने के बहुत मौके आयेंगे मुझे इंटरप्ट करने से आपको कोई फायदा नहीं मिलेगा। प्रधान मंत्री ने कहा कि जनसंघ विभाजन की औलाद है। जनसंघ समझता है कि अगर शान्ति हो गई तो जनसंघ मर जायगा। मैं नहीं जानता कौन कसकी औलाद है ? इसकी वंशावलि कहाँ तक बढ़ने की कोशिश की जायगी। क्या डा. ए. ओ. ह्यूम साहब से शुरू करेंगे जो कि कांग्रेस के जन्मदाता है। अगर जनसंघ के जन्म की बात करनी है तो मैं प्रधान मंत्री को केवल इतना याद दिलाना चाहता हूँ कि जिस समय जनसंघ पैदा हुआ, उस समय भी बंगला देश में पाकिस्तान के अत्याचार हो रहे थे, वहाँ के तहत्ये भोले नागरिकों का खून बह रहा था और उस अत्याचार की जो ध्वनि थी वह इस

देश के अन्दर भी आ रही थी, हमारी सरकार उस वक्त लाचारी अनुभव कर रही थी, उस वक्त नेहरू-लियाकत पैकट हुआ था और डा. मुखर्जी ने कहा था कि इस पैकट से समस्या हल नहीं होगी, इस कमजोर नीति से पाकिस्तान को ठीक न कर सकेंगे, जो शब्द डा. मुखर्जी ने कहा था इतिहास ने उनको सब साबित किया है, ऐसी अवस्था में डा. मुखर्जी जो कुर्सी पर थे अपनी कुर्सी को लात मार कर बाहर आये और उन्होंने जनसंघ की स्थापना की और प्रधान मंत्री जी की पाटी जब स्थापित हुई तब प्रधान मंत्री जी की कुर्सी के लिए खतरा पैदा हुआ। एक पार्टी कुर्सी को लात मार कर बनाई गई और एक पार्टी कुर्सी को बचाने के लिये बनाई गई। इसलिये मेरा निवेदन है कि कौन सी पार्टी कब बनी इस विवाद में न जाइये तो अच्छा है।

श्री एस. डी. मिश्र : बात तो सही कही।

डा. भाई महावीर : इसलिये इस पार्टी ने किस वक्त जन्म लिया, किस बात के लिए जन्म लिया इसको छोड़िये, शिमला समझौते की बात कीजिये। हमें बताइये शिमला समझौते के गण क्या है, शिमला में देश ने क्या प्राप्त किया है। पहली बात जो मैं इस समझौते के प्रारूप में देखता हूँ, इसके जो शब्द हैं उसमें देखता हूँ, आखिरी वाक्य से मैं शुरू कर रहा हूँ, जिसमें यह है :

“Both governments agree that their respective heads will meet again for a final settlement of Jammu and Kashmir.”

मैं जानना चाहता हूँ सरकार से कि आज तक किसी फार्मल एग्रीमेंट में, किसी इस तरह के औपचारिक समझौते में, फाइनल सेटिलमेंट का जिक्र आया है। कहीं पर कहा गया है इस तरह से कि काश्मीर भारत का फाइनल सेटिलमेंट होना है। कितनी बार हमारे देश के

प्रधान मन्त्री, विदेश मन्त्री, संसद में, इस देश के संसद् के भवन में, सार्वजनिक मंचों से कह चुके हैं कि काश्मीर का सवाल हमेशा के लिये हल हो चुका है और काश्मीर के सवाल के अन्दर कोई अधूरापन बाकी नहीं है। आज पहली बार हमारी सरकार को यह इलहाम कैसे हुआ कि काश्मीर के सवाल का फैसला होना बाकी है।

श्री महावीर प्रसाद शुक्ल (उत्तर प्रदेश) : आपने कहा बाकी है, इसलिये वह फाइनल कहा गया है।

डा० भाई महावीर : आप बैठें। आपसे बहुत बड़े-बड़े बैठे हैं उनके पास से जवाब आयेगा, आप वहां तक नहीं पहुंच सकेंगे जहां तक वह पहुंचे हैं। महोदय, इस एग्रीमेंट के अन्दर 'फाइनल सेटिलमेंट' शब्द है, उसकी बात की है। क्या सरकार ने आज तक नहीं कहा था कि फाइनल सेटिलमेंट हो चुका है? अगर कहा था तो हमें बताया जाय कि कौन-सी बात नहीं हो गई है। कल विदेश मन्त्री ने बताया, आज के समाचारपत्रों में है : No Kashmir area was written off at Simla. बड़ी बहादुरी की बात है, बहुत दिलेरी की बात है। लेकिन हमारा यह नहीं कहना कि आप राइट-आफ कर आये हैं, हमारा यह कहना है कि आपने राइट-आफ करने की भूमिका तैयार कर ली है और यह कैसे तैयार कर लिया है, मैं आपके सामने कुछ तथ्यों से, तर्कों से रखने की कोशिश करूंगा।

महोदय, पिछली संसद के अधिवेशन में मुझे याद है—विदेश मन्त्री यहां बैठे हैं—यह प्रश्न आया था, राष्ट्रपति निक्सन की चीन की यात्रा के बाद प्रधान मन्त्री चाउ एन लाई के साथ उनका जो वक्तव्य छपा था, उसके बारे में ध्यान-आकर्षण आया था और उसके सम्बन्ध में जो प्रश्न पूछे गए थे, उन प्रश्नों के बीच में मैंने एक प्रश्न पूछा था कि आपने सीज फायर लाइन को अन्तर्राष्ट्रीय सीमा रेखा

मानने की बात सोची है। मैंने इस प्रकार पूछा था—

"If that is offered, and in the same spirit if we are prepared to talk about this matter without any preconditions with Pakistan, does it mean that the condition of the integrity of India also is not going to be insisted upon? Even now, the Honourable Minister has repeated that Jammu and Kashmir is an integral part of India. If it is an integral part of India, are we going to keep this as a precondition in our negotiations are not?"

यह सवाल जब मैंने पूछा था तो विदेश मन्त्री जी का जवाब था—

"About the second question I would like to say that there is no talk or discussion of accepting the cease-fire line in Jammu and Kashmir as the international boundary."

उससे भी ज्यादा उत्साहवर्धक शब्दों में उन्होंने मुझ से कहा था कि :

"I warn the honourable Member to be very careful in making such observations."

उसके बाद जो हमारा वार्तालाप हुआ मैं उसको छोड़ रहा हूं।

हमारी सरकार ने, प्रधान मन्त्री जी ने, पिछले दिनों में जो व्यक्तव्य दिए प्रेस कान्फ्रेंस के अन्दर—यूनाइटेड न्यूज आफ इण्डिया की रिपोर्ट है, जो 26-7-72 को छपी है :

"To a question why India did not insist on the cease fire line in Kashmir being accepted as the international boundary, the Prime Minister reportedly said that the limits to which Pakistani President could go were quite clear."

"... to which Pakistani President could go..."

"हम जाने के तैयार थे, पाकिस्तान के राष्ट्रपति नहीं जा सकते थे, हमने उनके सामने

[डा. भाई महावीर]

पेशकश की कि युद्ध-विराम रेखा के ऊपर भारत और पाकिस्तान की अन्तर्राष्ट्रीय सीमा को स्वीकार कर लिया जाए। राष्ट्रपति भुट्टो नहीं माने।" आज अगर भारत संविधान के अनुसार काश्मीर का राज्य पूरा का पूरा भारत का अंग है, तो उसके लिए श्रेय हमारी सरकार को नहीं है—उनका श्रेय अभी राष्ट्रपति भुट्टो को है। वह अभी तक नहीं माने। महोदय, केवल इतना ही नहीं, उसी सम्मेलन में शायद सरदार स्वर्ण सिंह जी ने कहा, मैं उनके शब्द कोट रहा हूँ :

"India held far more of Pakistani territory in Kashmir than the 80 km stretch occupied by Pakistan in the Chhamb Sector."

What is the Pakistani territory in Kashmir? I would like to know.

हमारे विदेश मंत्री काश्मीर के अन्दर पाकिस्तानी टेरिटरी को अगर रिकगनाइज करते हैं तो मैं पूछना चाहता हूँ कि किस कानून के अन्तर्गत? कौन सा कानून है जो इस बात की इजाजत देता है। महोदय, मेरे पास यहाँ पर अन्लाफुल एक्टिविटीज ऐक्ट है। इस ऐक्ट अन्तर्गत जो धारा है उसका उल्लेख मैं आपके सामने कर रहा हूँ। अन्लाफुल एक्टिविटी कौन सी है?

"... which disclaims, questions, disrupts or is intended to disrupt the sovereignty and territorial integrity of India."

संसद के या विधान सभाओं के सदस्य महोदय किसी भी समय शपथ लेते हैं, शपथ लेते हैं, तो भारत की भौगोलिक एकता की रक्षा की भी शपथ लेते हैं और इसी वास्ते शिमला समझौते की चर्चा जब काश्मीर को विधान सभा में हुई तो वहाँ पर जमीयते इस्लामी या किसी और पार्टी के सदस्य ने शायद खड़े होकर कह दिया कि अब यह समझौता हो गया है तो काश्मीर का फैसला भी आखिरी तौर पर हल हो

जाएगा। इस पर काश्मीर के मुख्य मंत्री सैयद मीर कासिम खड़े हो गए, उन्होंने कहा : क्या कह रहे हैं, सोच कर कहिए, क्या आप भारत और काश्मीर के विलय के बारे में शका प्रगट कर रहे हैं? अगर आप कर रहे हैं तो भारत की भौगोलिक अखंडता के बारे में संदेह प्रगट करने के कारण आपको हटाया जा सकता है, आपको डिस्क्वालिफाई किया जा सकता है, अमेम्बली की मेम्बरशिप के वास्ते। यह बात सैयद मीर कासिम ने कही। 31 जुलाई के टाइम्स और इण्डिया के अन्दर छपा हुआ है।

मैं पूछना चाहता हूँ, जो कानून काश्मीर के विधान सभा के सदस्यों के वास्ते है, क्या वह हमारी प्रधान मंत्री के वास्ते है कि नहीं, हमारे विदेश मंत्री के वास्ते है कि नहीं। अगर दे प्रबल ला—क्या वे कानून से ऊपर है? अगर कानून से ऊपर है तो कह दिया जाए कि यहाँ पर कास्टिट्यूशन या लॉ का विधान नहीं चलता है, एक व्यक्ति का साम्राज्य चलता है, एक व्यक्ति की मोनार्की चलती है। जिस कानून के अन्तर्गत सैयद मीर कासिम काश्मीर के विधान सभा के सदस्यों के ऊपर मुकदमा चलाने या उनको डिस्क्वालिफाई करने की बात कहते थे, उस कानून के अन्तर्गत प्रधान मंत्री और विदेश मंत्री के ऊपर मुकदमा क्यों नहीं चल सकता है, मैं यह जानना चाहता हूँ।

मैं चाहूँगा कि हमारे सत्ताधारी दल के सदस्य दलील का जवाब दलील से दें। ये छोटे लोग हैं, ये बिगड़े हुए लोग हैं, इनका दिमाग खराब है, तो लात तो गधा भी मार सकता है। दलील दीजिए और अगर दलील नहीं दे सकते हैं, तो मान जाइये कि आपके पास कहने को कुछ नहीं है और बनाई हुई ब्रीफ पढ़ कर यहाँ पर कोई योग्यता प्रकट नहीं की जा सकती है।

महोदय, मैं आपसे निवेदन कर रहा हूँ कि जो कुछ प्रश्न काश्मीर के बारे में हुआ है

यह हमारे एग्रीमेंट में आया है और एग्रीमेंट के बाद प्रेस कॉन्फ्रेंस में प्रधान मंत्री और विदेश मंत्री ने जो व्याख्या दी उसके बाद तो काश्मीर की अखंडता के बारे में संदेह पैदा होता है या नहीं ? कहा जा रहा है कि राष्ट्रपति भुट्टो ने जो कुछ कहा है कि अब हम संदेह और शंकाओं की अविश्वास की घाटियों में से निकल कर परस्पर सहयोग की खुली वादी में आ गये हैं। अगर कागज की भाषा द्वारा देश की समस्याओं का हल करना सम्भव हो, तो बहुत अच्छा है और इससे अच्छा और कोई उपाय नहीं हो सकता है। परन्तु, महोदय, केवल इतने से बात हल नहीं हो सकती है। मैं आपके सामने भुट्टो का भाषण रखना चाहता हूँ। मेरे पास राष्ट्रपति भुट्टो ने पाकिस्तान की नेशनल असेम्बली में जो भाषण दिया है, वहाँ पर जो वार्ता हुई, उसकी रिपोर्ट है। राष्ट्रपति भुट्टो ने नेशनल असेम्बली में डिस्कशन के अन्दर ताश्कन्द के बारे में चर्चा करते हुए काश्मीर के सम्बन्ध में जो स्टैंड लिया है, उसका जिक्र वहाँ पर किया जो इस प्रकार है :

"Don't they understand that by bifurcating and delinking the international line from the cease-fire line in Kashmir we have done a service to the people of Kashmir ? We had it admitted—I repeat—We had it admitted that Kashmir is a disputed issue". Kashmir is a disputed issue.

काश्मीर एक विवादग्रस्त क्षेत्र है, काश्मीर का विवाद अभी हल नहीं हुआ और अगर काश्मीर का विवाद हल नहीं हुआ, तो हमारा एग्रीमेंट डाफ्ट जो है वह भी कहता है जिसमें दोनों तरफ के दस्तखत हैं और राष्ट्रपति के भाषण के अन्दर उसका जिक्र हुआ है। तो यहाँ पर कहा जायेगा कि हम लोग बदले नहीं, हमारा स्टैंड वही है जो था, हमने काश्मीर के मामले में कोई वाटर डाउन नहीं किया। इस तरह की बातें कहने का मतलब यह होता है

कि इस तरह से अपने आपको धोखा देना है और साथ ही देश को भी धोखा देना है। मैं नहीं जानता कि यह सरकार अपने आपको धोखा देना चाहती है या देश को भी धोखा देना चाहती है, लेकिन किसी भी धोखे से देश का कल्याण नहीं होगा।

प्रधान मंत्री जी से पत्रकार सम्मेलन में पूछा गया था कि यदि आपके सामने प्रपोजल आयेगा कि युद्ध-विराम रेखा को अन्तर्राष्ट्रीय सीमा मान ली जाय, तो प्रधान मंत्री ने ये शब्द कहे, "यस वी शैल कंसिडर इट"। मैं यह जानना चाहता हूँ कि वह कौनसा संवैधानिक अधिकार है, जो प्रधान मंत्री को भारत भूमि के एक भाग को कानूनी तौर पर पाकिस्तान को देने के बास्ते तैयार कर सकती है ? हम इस बात को जानना चाहते हैं कि इस बारे में संविधान की धारा को बतलाया जाय। हमें गालियाँ मत दीजिये, गालियाँ देना हम भी जानते हैं। अगर गालियाँ देने की बात होगी तो हम भी दे सकते हैं।

(Interruptions)

श्री सीताराम केसरी : गालियाँ तो आप दे रहे हैं।

डा० भाई महावीर : उनको समझाना मेरे बस की बात नहीं है। महोदय काश्मीर के सवाल पर जो कुछ हुआ है उस सारे के बारे में मैंने आपसे कहना है। राष्ट्रपति भुट्टो का केवल यही एक कथन नहीं है, इसके आगे दूसरे भी कथन हैं जिनके बारे में आगे जिक्र करूँगा, लेकिन इसके पहले मैं यह कहना चाहता हूँ कि हमारे सरकार के नेता, प्रधान मंत्री और दूसरे नेता भी शिमला समझौते के पहले, शिखर सम्मेलन के पहले देश को कुछ बादा देकर गये थे। भुट्टो भी अपने लोगों को वादा देकर आये थे और उन वादों के बारे में क्या हुआ ? हमने कहा था कि एक पैकेज डील होगा, एक ऐसा समझौता होगा जिसके अन्दर सब विषयों को

[डा. भाई महावीर]

लिया जायेगा। टुकड़े, टुकड़े करके, एक एक चीज को लेकर, हम समझौता नहीं करेंगे। आज प्रधान मंत्री जी बेशक कहेंगे कि कब उन्होंने कहा था पैकेज डील होगा, लेकिन भुट्टो की जो स्पीच मेरे पास है, उसके अन्दर उन्होंने कहा है और मैं फिर कोट कर रहा हूँ :

"If I wanted to surrender Kashmir, I would have said : "Let us go about it the way Ayub Khan did". Mr. Indira Gandhi had originally said; "It must be a package deal and a basket deal". Mr. Dhar said to me : "It must be a bouquet of roses all in one". I said : "No, one rose at a time".

घर साहब ने कहा कि फूलों का एक गुल-दस्ता होना चाहिये इकट्ठा सब मिलाकर। मैंने कहा नहीं, कांटे नहीं, एक एक फूल कर के आने चाहियें। वे तो एक एक फूल लेकर चले गये और कांटे हमारे लिए छोड़ गये। दुर्भाग्य की बात आज यह है कि उन कांटों को स्वीकार करने के बजाय हमारी सरकार यह जतलाना चाहती है कि दरअसल ये कांटे नहीं हैं, हैं तो फूल ही, हमारी आंखों को धोखा हो रहा है।

मैं जानना चाहता हूँ, महोदय, क्या यह वायदा किया गया था या नहीं? कल विदेश मंत्री जी ने यह साबित करने की कोशिश की कि पैकेज डील तो है ही और उसमें कोई अच्छी अच्छी चीजें हैं और वे अच्छी अच्छी चीजें क्या हैं उनका जिक्र मैं आगे करूंगा। बाइलेटरल समझौते होंगे, बाइलेटरल टाक्स होंगी। यह जो पैकेज डील का नया अर्थ लगाया जाने लगा है उसके बाद भी उसके अन्दर क्या निकलता है यह देखने पर बहुत निराशा होती है।

कहा जा रहा है : "We never coveted Pakistan's territory."

हमने पाकिस्तान की भूमि की लालसा नहीं की थी। जनसंघ ने कभी नहीं कहा कि पाकिस्-

तान की भूमि रखिए, हम कभी पाकिस्तान की भूमि नहीं चाहते और हमारा यह दावा है कि हमें पाकिस्तान की भूमि की जरूरत नहीं है, लेकिन हम पाकिस्तान की भूमि नहीं चाहते इसका मतलब यह कहाँ निकलता है कि हम अपनी भूमि की रक्षा भी नहीं करेंगे। महोदय, मुझे अब्राहम लिंकन के शब्द याद आते हैं जब वे गुलामी की प्रथा का विरोध कर रहे थे: "As I shall not be a slave, so I shall not be a master" क्योंकि मैं गुलाम रहना पसन्द नहीं करता इसलिए मैं किसी का मालिक भी नहीं बनना चाहूंगा। उनकी बात को उलट कर मुझे कहना पड़ेगा—As we do not wish to be masters, so at least let us not be prepared to be slaves. हम दूसरे की भूमि नहीं चाहते इसलिए कम से कम इतना आश्वासन तो दें कि हम अपनी भूमि को किसी के पास नहीं रहने देंगे। सरकार इसके बारे में जवाब नहीं देती। जवाब क्या दिया गया। प्रधान मंत्री जी ने कल जवाब दिया कि बच्चों की तरह हम अपने खिलौनों की वापसी के लिए भगड़ा करें यह हमें शोभा नहीं देता—"We cannot fight like children demanding the return of toys."

यह टायज कौन से हैं। क्या देश की भूमि प्रधान मंत्री जी की नजर में खिलौना बन गई? मैं पहली बार देख रहा हूँ कि किसी देश का प्रधान मंत्री अपने देश की पवित्र भूमि को खिलौने की उपमा दे। भूमि को वापस लेने की बात खिलौनों को वापस लेने की बात जैसी है? महोदय, मुझे वह समय याद आता है जब हमारे इस देश के प्रधान मंत्री और श्रीमती गांधी जी के पिता ने संसद के सारे सदस्यों को अपने साथ खड़ा कर 1962 को अपने जन्मदिन के अवसर पर एक शपथ ली थी। उस शपथ के शब्द मैं आपको सुनाना चाहता हूँ—

"With hope and faith this House affirms the firm resolve of the Indian

people to drive out the aggressor from the sacred soil of India, however long and hard the struggle may be".

ये शब्द नेहरू जी के हैं। 1962 में नेहरू जी की अवस्था 73 वर्ष की थी। नेहरू जी की अवस्था 73 की थी और आज हमारी प्रधान मंत्री जी 55 वर्ष की हैं। 55 वर्ष की बेटी 73 वर्ष के बाप को बच्चे की उपमा दे तो यह उनके अपने शब्दों का प्रयोग है मैं उसके बारे में शिकायत नहीं करना चाहता। महोदय, मुझे यहाँ यह कहना है कि राष्ट्रपति भुट्टो का इस विषय में अलग मत है। हमारी सरकार जिस तरह का दृष्टिकोण लेकर आई, राष्ट्रपति भुट्टो उससे अलग दृष्टिकोण लेकर गए। जो उनका दृष्टिकोण है वह मैं उनके शब्दों में बताना चाहता हूँ। उन्होंने टैरीटरी के बारे में कहा—“Territories of nations are sacrosanct.

It is not a question of which is more valuable and which less. Every piece of Pakistan's territory is mother earth to us. The Member may not like Tharparker. Tharparker may be far away from where he stays. But I am in love with Tharparker and every part of Pakistan from Khyber to Karachi and any part of Pakistan, whether alluvial or desert, productive or unproductive, it is sacred to me. For me it was a great sense of achievement that we could get back our territory.”

थारपारकर के निवासियों को क्या अनुभव होगा। लेकिन इस सबके बाद, रेगिस्ता। होने के बाद भी पाकिस्तान के नेता यह नहीं कहते कि वहाँ कुछ पैदा नहीं होता...

THE PRIME MINISTER SHRI (ATI) INDIRA GANDHI Sir, I would request the honourable Member not to say anything which would create difficulties for these people.

SHRI OM L. EHTA : Yes, Sir.

SHRIMATI INDIRA GANDHI : And I must tell him that in the other House his leader agreed to this.

डा. भाई महावीर: मुझे इसमें कोई आपत्ति नहीं है लेकिन मैं इतनी बात कहने में कोई हर्ज नहीं समझता कि भौगोलिक विशेषता के बावजूद थारपारकर के जिले के लिए भुट्टो साहब ने कहा है कि वह उनके लिए उतना ही पवित्र है जितना पाकिस्तान का कोई और भाग। यह सब होने के बाद हम लोग अपनी भूमि के लिए क्या कहते हैं। हम लोग अपनी भूमि के बारे में इस तरह का रवैया क्यों अनाते हैं कि अगर यह भूमि रह जायगी तो उसमें से पैदा क्या होगा। मैं नाम नहीं लेना चाहता लेकिन मुझे दुख होता है कि कोई इस सार्वजनिक जीवन में सरकार के अन्दर या बाहर अच्छा स्थान रखते हुए, जिनको तजुर्बा है, अनुभव है, वह इस तरह की बात करे कि उस भूमि को रखेंगे तो कितनी मुसबत पैदा होगी यह आप नहीं जानते। संविधान के संशोधन के बगैर हमारे मनके अन्दर, हमारी भावनाओं के अन्दर जो इस तरह की खोट आ गई है, हम जो अपनी भूमि को पराया समझने लगे हैं उसका परिणाम क्या होगा मैं आज आप के सामने सरकार की ओर से एक स्पष्टीकरण चाहूँगा। कह देने को ठीक है जो हमारे विदेश मंत्री ने कह दिया। उनका वाक्य है:

“While he made it clear that India's sovereignty over Kashmir was not negotiable, he asked Government critics not to ignore the hard realities that a part of Kashmir was still under Pakistan's occupation and there were United Nations observers in the region.”

मैं समझा नहीं कि यह क्या दलील है कि निगोशिएबिल तो नहीं है, लेकिन यह निगोशिएशन करने आयेगे। इसके ऊपर उन्होंने भूमिका तैयार की है। उसके निगोशिएशन की भूमिका तैयार करने के कारण यह कहते हैं कि यह हार्ड रियलिटी है कि पाकिस्तान के कब्जे में वह है। इसीलिए आपने सीज़फायर किया था, आपने युद्धविराम किया था और आपने कमजोरी दिखाई थी। अगर आपने कमजोरी दिखाई तो यह उस इलाके का दोष नहीं है, उस

[डा. भाई महावीर]

इलाके के लोगों का दोष नहीं है और अगर दोष सरकार की नीति का नहीं था तो जो हमारा दिया हुआ वचन है, ली हुई शपथ है, ली हुई प्रतिज्ञा है, उस सारे के ऊपर पानी फेर कर के हार्ड रियलिटी समझाने की हम को कोशिश की जा रही है। महोदय, मैं जानना चाहता हूँ कि यूनाइटेड नेशन के आब्जर्वर्स का वहाँ पर रहने का अर्थ क्या है। यहाँ पर मुझे याद है कि एक ध्यानाकर्षण प्रस्ताव के समय हमने बार बार कहा था कि अगर वहाँ यूनाइटेड नेशन के आब्जर्वर्स के रहने का कोई उपयोग है तो हमें बताया जाय कि क्या है। उस पर हमें बताया गया :

"They have no role to play now."

हमने कहा कि रोल टू प्ले नहीं है तो क्या आपने संयुक्त राष्ट्र संघ से कहा है कि उन्हें वापस बुलाया जाय। इसका जवाब नहीं दिया जाता कि उन्हें वापस बुलाया जाय या न बुलाया जाय। वह तो है कि:

"It is for them to see whether they should recall them or not"

हमारी सरकार की इस प्रकार की दुलमुल नीति है कि किसी सही बात को कहने का उसमें साहस नहीं होता है। प्रधान मंत्री का जो इमेज इस देश के अन्दर बना था साहस का, हिम्मत का, एक शक्तिशाली देश के शक्तिशाली प्रधान मंत्री के रूप में वह इमेज धुंधला ही नहीं पड़ता जा रहा है बल्कि उस इमेज के ऊपर एक कालिख पोत दी गई है। इस शिमला समझौते के द्वारा। इस सवाल को देखते हुये मैं सब से पहले एक स्पष्टीकरण चाहूँगा। यदि मेरे सन्देह सच न हों तो मुझ से ज्यादा प्रसन्न कोई नहीं होगा। अगर प्रधान मंत्री या विदेश मंत्री खड़े हो कर कह दें कि जो कुछ मैंने दलीले दी है या तर्क दिये हैं वे सब निराधार हैं, गलत हैं और सरकार की तरफ से ऐसा कोई इरादा नहीं है कि पाकिस्तान के अधिकार में जो खिलाफ कानून

कब्जे में की हुई भूमि है उसको 3 P. M न लिया जाय और भारत युद्ध विराम रेखा को कभी अंतर्राष्ट्रीय रेखा स्वीकार नहीं करेगा, अगर आप इस को मानने के लिए तैयार है तो इस आशय का एक सशोधन हमारे मित्रों की तरफ से दिया गया है आप उस को स्वीकार कर लें। हम और कुछ नहीं कहते। हम शिमला समझौते को समय का एक तजुर्बा, एक ट्रायल देने के वास्ते तैयार है, परन्तु यदि हमारी सरकार की बातों में, शब्दों में, इस समझौते की शब्दावली में यह दिखाई देता है कि आप तैयार हो रहे हैं उस इलाके को श्री भुट्टो को, पाकिस्तान को एक तश्तरी के ऊपर पेश कर देने के लिए तो हमें लगता है कि यह चीज देश की एकता के साथ धोखा है, और यह चीज देश की एकता को कायम रखने का कोई तरीका नहीं है। और मैं ज्यादा न कहते हुए इतने पर ही सरकार से इसके बारे में स्पष्टीकरण मांगूँगा। हमारे विदेश मंत्री जी ने बयान दिया कि हमारे पास पाकिस्तानी टेरीटरी काश्मीर में है। मैं चाहूँगा कि वह कौन सी वस्तु है, उस को वह जरा व्याख्या करें।

SARDAR SWARAN SINGH : I would repeat it again. What I meant was that there is an area there which is under Pakistan's occupation.

डा० भाई महावीर : हमारे विदेश मंत्री बहुत अच्छे वकील हैं।

सरदार स्वर्ण सिंह : अच्छा वकील बनना कोई गुनाह है क्या ?

डा. भाई महावीर : मैं उन को बहुत अच्छा वकील समझता हूँ, लेकिन वह अपने शब्दों के साथ इस तरह का कैंजुअल ट्रीटमेंट करते हैं यह मुझे पहली बार लगा। यहाँ पर वह एक एक शब्द को किस तरह से नाप तौल कर बोलते हैं और कई बार हमारी जैसी मोटी अकल वाले

उन का आघे घंटे भाषण सुनने के बाद उस का सिर पैर भी नहीं समझ पाते, और हम यह मानते हैं कि यह अच्छे वकील की कुशलता है, लेकिन आप की वकालत की कुशलता इतनी हो कि आज भारत की टेरीटेरी जो पाकिस्तान के कब्जे में हो उस को पाकिस्तानी टेरीटेरी इन काश्मीर कहना शुरू कर दें यह मैं समझता हूँ कि कोई बहुत अच्छी बात नहीं है।

SARDAR SWARAN SINGH : Sir, I would like to say that he cannot quote press statements against me. If there is any authorised version of what I have said anywhere, on the floor of the House or anywhere else, then you can quote it. You cannot quote press statements. And when I further clarify you still go on hammering on the point and still you say that you cannot follow anything. It is not my fault if you cannot follow anything.

डा. भाई महावीर : महोदय, मुझे खुशी है कि सरकारी दल के लोगों को कम से कम हंसने का मौका तो मिला। अब तक बेचारे दुखी थे कि किस बात पर खुशी प्रकट करें। मैं मंत्री जी की तसल्ली के लिए कह दूँ कि मैं यह नहीं कह रहा कि आप जो कहते हैं वह मैं मानने को तैयार नहीं, मैं यह कह रहा था कि यदि सचमुच आप का यह ग्राइडिया था तो हम आप से प्रायः यह अपेक्षा करेंगे कि आप अपने शब्दों का इस्तेमाल बहुत बारीकी के साथ और उन को ध्यान में रख कर करें। आप ऐसा करते हैं, लेकिन मुझे आश्चर्य हुआ कि इस मौके पर ऐसा क्यों नहीं हुआ।

महोदय, हमें खुशी है कि इस समझौते से लाभ यह हुआ है कि अब वाई-लैटरल फैसले होंगे, आपसी बात चीत से फैसले होंगे और आपसी बात चीत के फैसलों से आपस में मिठास बढ़ेगी कडवाहट के दिन चले जायेंगे। क्या सचमुच भुट्टो जी का दृष्टिकोण बदल गया है, महोदय? भुट्टो जी का दृष्टिकोण बदल गया है या नहीं, यह बात जब प्रधान मंत्री जी से

पूछी गयी तो प्रधान मंत्री जी कहती हैं कि मुझे पता नहीं शान्ति रहेगी या नहीं। मैं कोई ज्योतिषी नहीं हूँ, न मैं ज्योतिषियों के पास जाती हूँ। हमारे विदेश मंत्री जी ने जब यह पूछा गया तो उन्होंने भी यही जवाब दिया कि यूनाइटेड नेशन्स में काश्मीर को पाकिस्तान ले जायेगा या नहीं, इस के बारे में हम कुछ कह नहीं सकते। Any nation can take any subject to the world body. तो फिर यह समझौता क्या हुआ। अगर पाकिस्तान ले जा सकता है तो इस का मतलब यह हुआ कि पाकिस्तान ने इस समझौते के समय मेटल रिजर्वेशन रखा और अगर मेटल रिजर्वेशन रखा है तो जो आशय हम ने इस पर लगा रखा है वह कहा तक पूरी होगी।

महोदय, कहा जा सकता है और स्वर्ण सिंह जी ने कहा कि भुट्टो साहब अगर ले जायेंगे तो दरअसल भुट्टो साहब इस बास्ते नहीं ले जायेंगे कि उन को संयुक्त राष्ट्र संघ से बड़ी निराशा हो चुकी है, लेकिन संयुक्त राष्ट्र संघ से भुट्टो साहब को निराशा क्यों हुई है यह मैं आप की जानकारी के लिए आप को बताना चाहता हूँ मैं वह कारण यहां पर पेश करना चाहता हूँ कि भुट्टो साहब को उस से निराशा क्यों हुई। उन्होंने फरमाया है अपने भाषण में :

“What was the basis for the United Nations to say that Pakistan forces withdraw from Azad Kashmir and the Indians would remain in occupied Kashmir? Was not India the aggressor?”

यह समझौते के बाद की बात है। भुट्टो साहब के अन्दर जो सारा कायाकल्प कर के विदेश मंत्री जी आये हैं यह उस के बाद की बात है। आप ने कहा कि ही इज चेंज। अगर वह बदल गया हो तो बड़ी खुशी की बात है, लेकिन बदले हुए स्वर्ण की बात मैं आप के सामने रख रहा हूँ।

[डा. भाई महावीर]

"Was not India the aggressor? Why was the aggressor allowed to remain in Kashmir and the aggressed to withdraw from Kashmir? Who equated the aggressor with the aggressed? Who gave an unequal treaty? Who gave respectability to the concept of aggression in Kashmir."

इस वजह से भुट्टो साहब को सयुक्त राष्ट्र सभ से नाराजगी है। इस वास्ते नहीं कि सयुक्त राष्ट्र सभ किसी सैद्धांतिक कसौटी पर पूरा नहीं उतरा लेकिन उनको उस ने कश्मीर पूरा नहीं दिलवा दिया, इस नाराजगी के कारण वह सयुक्त राष्ट्र सभ से बहुत दुखी है और इस वास्ते वह कोशिश करेंगे कि सीधे सीधे बातचीत के द्वारा यह मसला हल हो जाय और अगर नहीं होगा तो फिर वह दूसरा रास्ता अपनाने को तैयार होंगे। पहले बातचीत करेंगे। शायद मैं कहने में कुछ गलती कर गया। वह पहले बातचीत करेंगे और बातचीत के बाद अगर वह मामला हल नहीं होता तो फिर वह वहां जाने को तैयार है और अपने भाषण में उन्होंने बार बार कहा है कि अगर सयुक्त राष्ट्र सभ में जाने पर यह सवाल हल होता है तो I am prepared to go to the U. N. O. वह अपना आदमी वहां भेजने को तैयार है। महोदय, यह न समझा जाय कि भुट्टो साहब को वहां के तजुर्वे के कारण कोई नया ज्ञान आ गया है। फिर यह कहा गया कि आपस की बातचीत पर वह ज्यादा भरोसा कर रहे हैं। कैसे भरोसा कर रहे हैं उन पर। जब आरोप लगाया गया तो उस का जवाब उन्होंने दिया :

"I was going to quote from the United Nations Charter, but it was getting late in the night. Otherwise I would have established to you by quoting some article from the Charter that we have in no way compromised our position. There is article 103 which provides that if an agreement between two countries is inconsistent with the Charter of the

United Nations, the Charter prevails. So, if we have come to an agreement which is inconsistent with the United Nations Charter, the Charter will still prevail."

This is article 103.

आगे उसके और आर्टिकल को का उन्होंने हवाला दिया है। महोदय, उन्होंने एक और सवाल के ऊपर—हमारे विदेश मंत्री ने भी इसका उल्लेख किया है—बार-बार कहा कि जो कुछ हुआ है It is without prejudice to our recognised position. हमने जो भी पोजीशन ली है उसको प्रेजुडिस नहीं किया गया। तो भुट्टो साहब क्या फर्माते हैं ! उन्होंने कहा है :

"What did it mean when we said in the Simla Agreement 'without prejudice to the recognised position of Pakistan and India'? There is only one recognised position."

हम समझते की बात कह रहे हैं, हम कह रहे हैं कि हमारी सहमति हो गई, हम कह रहे हैं हमने कहा कि शुरूआत है। शुरूआत किस बात की ! किधर की ओर कदम बढ़ा है। किस की ओर !

श्री सीताराम केसरी : शान्ति की ओर।

डा० भाई महावीर : भुट्टो साहब बता रहे हैं, वह कह रहे हैं :

"What did it mean when we said in the Simla Agreement 'without prejudice to the recognised position of Pakistan and India'? There is only one recognised position, that is the international position, Pakistan's position of self-determination is an internationally recognised position. India's position of usurpation of Jammu & Kashmir is not the recognised position because international law, the United Nations and the World do not recognise it."

महोदय, रिकगनाइज्ड पोजीशन कौन सी है इसका सवाल है ! आगे आपने कहा है, काटीन्यु किया है :

“When we say ‘without prejudice to our respective positions’ it is really without prejudice to our position because India’s position is not based on principles. At one time India said ‘self-determination’. Now India says ‘usurpation’. Tomorrow better wisdom might prevail on Mrs. Indira Gandhi after reading the ‘Glimpses of World History’ and she might again say ‘self-determination’.”

मुझे पता नहीं प्रधान मन्त्री जी भुट्टो साहब को इस नमीहत पर अमल करेगी या नहीं कि ग्लिम्पसेस आफ वर्ल्ड हिस्ट्री को फिर एक बार पढ़े लेकिन यह सुझाव उन्होंने जरूर दिया ।

महोदय, इस वास्ते वह कहते हैं :

“So let me try it out because there is only one recognised position ”

तीसरी बार रिपीट कर रहे हैं । और हमारी सरकार हमें बताये कि क्या जो भुट्टो साहब ने पोजीशन ली है हम उसको मानते हैं, हमारी भी उसके ऊपर सहमति है या दोनों के अन्दर कोई अन्तर है ।

महोदय, मैं आपका ज्यादा समय नहीं लूंगा, एक-दो बातें कह कर मैं अपना कथन समाप्त करूंगा । लेकिन समाप्त करने के पहले कह दूँ कि भुट्टो साहब ने कहा—कि मैं जब गया तब मेरे सामने यह सवाल भी था कि अपने कैदियों को छोड़ाऊ या नहीं छोड़ाऊ । तीन सवाल लेकर वह आये थे—इलाके की वापसी, कैदियों को छोड़ाना और काश्मीर के ईशू को, काश्मीर के विषय को फिर से जिन्दा करना । इलाके को वह ले जा रहे हैं, काश्मीर के सवाल को उन्होंने जिन्दा कर दिया और अब सवाल रहा आखिरी कैदियों का । तो प्रधान मंत्री जी जब शिमला समझौते से आई तब उन्होंने अपने वक्तव्य में कहा कि कैदी तभी छोड़े जायेंगे जब ड्युरेबिल पीस का फैसला हो जाएगा । इसके बारे में भुट्टो साहब क्या कहते हैं ।

“When they said ‘Settle Kashmir if you want prisoners of war’ I would have got them back. When I refused this Indira said, ‘At least settle the principles’. ‘If I settle the whole thing,’ that is what I told them ‘because there is only one principle and that is the principle of self-determination which you do not accept. If I give another principle it means partition and partition would be on the basis of the present cease-fire line. I cannot give another principle.”

महोदय, वह पार्टिशन के लिए तैयार नहीं थे ।

MR DEPUTY CHAIRMAN : Please wind up.

डा० भाई महावीर : मैं वाइंड-अप कर रहा हूँ । पार्टिशन के लिये तैयार नहीं थे इस वास्ते वहाँ पर समझौता नहीं हुआ और उन्होंने इसके आगे कहा कि आप प्रिजनर्स कब तक रोकेंगे, प्रिजनर्स को रोकना कहा तक सम्भव है मैं अंतर्राष्ट्रीय दबाव डालूंगा, दुनिया के देशों में जाऊंगा, प्रेसर आफ ओपीनियन हम पैदा करेंगे और उन्होंने कहा कि जब एक बार आप इलाका दे देंगे, बगला देश वे साथ फैसला हो जाएगा, तो किस जस्टिफिकेशन से, किस आधार पर आप हमारे कैदियों को रख सकेंगे । दुनिया के अन्दर कोई भी देश कैदियों को ज्यादा देर नहीं रख सकता । उन्होंने अपने एचीवमेन्ट्स के अन्दर महोदय, जो कुछ कहा, वह बिल्कुल इसी तरह के शब्द थे कि हमने जो कुछ किया टेरीटरीज और प्रिजनर्स के बीच में—“*Territories vs. Prisoners*. India has accepted the withdrawal of troops from the borders. Troop withdrawal is more difficult to obtain than the return of prisoners. Prisoners cannot be kept indefinitely, territory can be kept indefinitely. Israel has not left an inch of Arab territory but they have returned all the prisoners of war. Territory is more sacred, more permanent. Once withdrawals take place, what is the rationale for India to keep the prisoners. The war has ended. There is a cease-fire

ere are withdrawals. Why should they en the prisoners ? Certainly we will obilise international opinion. Certainly we ll tell our brothers and every one else to lp in the process. We will certainly get ick our prisoners of war—if not today, en tomorrow they will come back “In-allah”. They have to come back. India nnot keep them indefinitely. So, once we ect the withdrawals, we shall mobilise inion on the question of the prisoners.”

टर्नेशनल ओपीनियन, इन्टर्नेशनल प्रेसर, यह इलेटरिज्म की परिभाषा है भुट्टो साहब की। होदय, इस सारी स्थिति के अन्दर, सबसे बड़ा द का विषय यह है कि हमारी सरकार एक से अवसर को खो चुकी है जो 25 साल के न्दर पहली बार आया था। हम ऐसी व्यवस्था र सकते थे कि पाकिस्तान फिर से ग़लत रास्ते र जाने की कोशिश न करे। हमने एक ऐसा वसर खो दिया कि . . . Time bell ring . . .

होदय, 2-3 मिनट के अन्दर समाप्त कर रहा। हमारा जो अवसर गया वह यह था कि हम सी व्यवस्था कर सकते थे कि पाकिस्तान की रफ से फिर कोई आक्रमण न हो। आखिर, 17-बार आक्रमण होते रहे हैं—एक बार नहीं आ, अनेक बार आक्रमण हो चुके हैं। हर आक्रमण का मुकाबला किया, हर आक्रमण की ममत जवानों का वक्त देकर चुकायी, हर युद्ध हम जीतते रहे लेकिन हर वक्त नेगोशिएटिंग बल पर हम जीत वापस करते रहे, ताशकंद क यह कहानी दुहराते रहे और हम बार-बार हा गया कि इस बार ताशकंद नहीं होगा। ताशकंद नहीं हुआ, लेकिन जो हुआ है ताशकंद ज्यादा बुरा है। आज देखकर हैरानी होती कि एक विजयी देश, जीता हुआ देश, इस रङ का समझौता करके आए, उस देश की रकार उस समझौते के बारे में यह कहे कि न बहुत बड़ी ऐतिहासिक सफलता प्राप्त की है . . .

महोदय, अपाचुनिटीज की बात मैं कह था। एक उल्लेख खाली भुट्टो साहब की

अपाचुनिटीज के बारे में करना चाहता हूँ। उन्होंने कहा :—

“Opportunities can never remain at the doorsteps of a nation for all time. Opportunities change. Situations change. The Americans, with all the slur that has been cast on them, had given us weapons and equipment which in the 1965 War gave us superior armament and a superior Air Force. This is known to the Indians. This is known to the whole world. Mr. Neville Maxwell has written that he was waiting at Bangkok because he expected the Pakistan army to be in Delhi because of the Armoured Division. In the Rann of Kutch—and Generals are sitting here—we could have wiped out the Indians. In 1962,

महोदय, मैं आपका ध्यान इस बात की ओर विशेष दिता रहा हूँ :—

In 1962 certainly we could have taken Kashmir because India had withdrawn all her forces from the border. But, if you lose your opportunities, if you lose your chances, if you turn turmoil into greed, into avarice, then no one can help you.

1962 की अपाचुनिटी खो देने का दरख है, रंज है, भुट्टो साहब को। लेकिन आज विदेश मंत्री जी ने एक नयी बात कही—Delineation of the line of control has to Proceed side by side with the withdrawal of troops.

यह डेलिनिऐशन आफ लाइन आफ कंट्रोल क्या है ? महोदय, पिछले दिनों के अन्दर पाकिस्तान की तरफ से काश्मीर के क्षेत्र में 1610 सीज फायर वायलेशन्स हो चुके हैं सरकारी ग्रांकिडों के अनुसार—यानी सीज फायर के बाद 1610 वायलेशन्स। इन वायलेशन्स के अन्दर जो टिथवाल की चौकियां भी गई हैं हमारी ओर से, यह भी सरकार जानती है। तो क्या सरकार डेलिनिऐशन का मतलब समझती है। जहाँ-जहाँ पाकिस्तान को ओर इलाके देना है, सीज फायर लाइन पर भी देना और फौजों को वापिस बुलाना एक साथ होगा—विदेश मंत्री जी के इस वक्तव्य का हम स्पष्टीकरण चाहेंगे। आखिरी बात महोदय, हम समझते हैं कि यह विवाद समाप्त हो जयेगा, शिमला समझौते

को जो ट्राइल देना है वह दिया जायेगा और आने वाले दिनों में यह पता लगेगा कि इस समझौते से क्या मिलना है। मैं दावा नहीं करता कि हम कोई भविष्यवक्ता हैं कि दूर तक देख सकते हैं। लेकिन हम एक कामन सेन्स के आधार पर, आज तक हमने अनुभवों से जो कुछ सीखा है, पिछली जो गलतियाँ हुई हैं, भुट्टो साहब का जो भाषण हुआ, उसके आधार पर ही कहते हैं। अभी हमारे मित्र भुट्टो की बड़ी तारीफ़ करते कह रहे थे, तब मुझे लगा कि वे शायद हमारा समर्थन कर रहे हैं कि भुट्टो साहब पर भरोसा नहीं किया जा सकता है। क्योंकि भुट्टो साहब कभी कुछ बोलते हैं और कभी कुछ बोलते हैं। उन के चार शब्द पकड़कर यह कहना कि अब सब बदल गया है और अब से पहले तो भुट्टो दूसरे थे और अब दूसरे हो गये हैं, तो महोदय, आने वाले दिन ही बतलायेंगे कि इसका परिणाम क्या होता है। परन्तु मेरा उधर के मित्रों से यह निवेदन है कि वे यह न समझें कि क्योंकि हम थोड़े हैं, हमारा दल अकेला है और इस वास्ते हमारी बात सही नहीं हो सकती है। दुनिया के अन्दर ऐसे मौके बहुत आये हैं जब सच्चाई की बात कहने वाला एक व्यक्ति था। ऐसे समय भी आये हैं जब उस एक व्यक्ति को शूली पर चढ़ाया गया, एक व्यक्ति को जहर पिलाया गया क्योंकि बाकी सब लोग यह समझते थे कि यह जो कुछ कह रहा है वह गलत है। हो सकता है कि हम गलत हो, लेकिन यह भी हो सकता है कि आप गलत हो। तो लोकतंत्र की परिभाषा यह है, लोकतंत्र की पद्धति यह है कि आप दूसरों की बात को सुनकर उस पर विचार करने के लिए तैयार रहें। तर्क का जवाब तर्क से दें। हमें सिद्ध करें, हमें समझाये, हमें बतलायें कि हमारी जो आशंकाएँ हैं वे कैसे गलत हैं? हमें यह बतलाया जाय कि किसी का प्रभाव नहीं था और किसी का दबाव नहीं था। (Interruptions) केसरी जी गलत जगह पर बैठे हैं। जहाँ पर

उन्हें होना चाहिए वहाँ पर नहीं है और इसका मेरे पास कोई इलाज नहीं है। परन्तु मैं यह कहना चाहता हूँ कि इस विषय में श्रीमती गांधी केवल अपना रोष प्रकट न करें बल्कि विचार करें कि जो कहा गया था वह केवल यह था कि अगर राष्ट्रपति भुट्टो आज काश्मीर में विद्रोह का आह्वान करते हैं और वहाँ के लोगों से कहते हैं कि पाकिस्तान के लोग खून का आखिरी कतरा तक बढ़ाने के लिए तैयार हैं, तो इस चीज को वे केवल यह न समझें कि यह केवल भुट्टो साहब प्लेइंग टु दो गैलरी या होम कजमेशन के लिए कह रहे हैं। आखिर उनके मन में जो बात होगी वही तो वे बोलते होंगे। (Time bell rings)

इन शब्दों के साथ महोदय, मैं इस सदन से अनुरोध करूँगा कि इस समझौते के बारे में जिस तरह सशोधन हमने दिया है कि यह समझौता होने के बाद सरकार से हम आग्रह कर रहे हैं कि जम्मू काश्मीर की पूरी भूमि पाकिस्तान के अवैध कब्जे से निकाले और किसी भी हालत में उसे न छोड़ें। इस तरह का हम सरकार से अनुरोध कर रहे हैं और मैं आशा करता हूँ कि यह सदन हमारे इस सशोधन को स्वीकार करेगी।

SHRI PRANAB KUMAR MUKHERJEE Mr Deputy Chairman, Sir, Dr. Bhai Mahavir, in his marathon speech almost in the fashion of Mr Bhutto, said that Mr Bhutto may not be trusted and should not be trusted. But Sir, we could not build up his case without quoting Bhutto. If you go through the proceedings of his speech you will find that three-fourths of it contained quotations from the speech of Mr. Bhutto in the Pakistan National Assembly. In the course of the discussion sometimes it appeared to me as if I was sitting in the Pakistan National Assembly in Pindi and somebody was criticising Mr Bhutto for his speeches. He quoted profusely from Mr Bhutto. I have not studied at such great length the speeches of Mr Bhutto as Dr. Bhai Mahavir has done, but I only want to quote one

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speech of Mr Bhutto which he delivered at the Lahore airport as soon as he went back from Simla. He pointed out that it was neither a victory for India nor a victory for Pakistan. It is a victory for the principle which aims at bringing about durable peace in the sub-continent. He also made a reference to the party of Dr Bhai Mahavir and expressed the hope that the people of India would not be guided by the perverted interpretation of facts as done by Dr. Bhai Mahavir and his camp-followers.

Mr. Deputy Chairman, Sir, Dr Bhai Mahavir first started his speech on the presumption as if the Government of India have accepted something as Pakistani territory in Kashmir. He built up the whole structure of his speech on the basis of that particular point as if the Government of India and the Minister of External Affairs have said that there is something as Pakistani territory in Kashmir. When the External Affairs Minister pointed out to him that this is not so, he did not correct himself. He dwelt, on based on wrong premises, that it has been accepted by the Government of India that there is some territory of Pakistan within Kashmir. The Government of India has never made the tall claim anywhere that by the mere Simla Agreement, by the mere bilateral agreement, the problem will be solved. I would like to request him to read the few lines from the statement of the External Affairs Minister which was read the other day. It has been stated "The agreement is only a first step, a beginning, in the process of establishing peace, friendship and co-operation. The success of this agreement and the process it has initiated will depend on its faithful implementation." Nobody has said that durable peace has already come. Nobody has claimed that merely by this agreement, by this treaty, by this pact, our problems are solved. What was the problem? He is accusing the Government, the Congress Party, because they had accepted that there is a problem of Kashmir. Does not his party accept the problem of Kashmir? Does not his party start a movement for one Nishan, one Vidhan in Kashmir? Does he not know that at least half of Kashmir or a part of Kashmir is still under the actual control of Pakistani forces? Is that not a fact? Is there not a problem in Kashmir? Is it not still hanging in the United Nations? If Government of India says that there is a problem in Kashmir and Pakistan is a party

to it, is there anything wrong in it? If in a bilateral talk, in a bilateral agreement, that question comes up, is there anything wrong? Can he come to such a conclusion that merely by accepting that there is a problem in Kashmir and Pakistan is a party to it the Government of India has given up its stand on Kashmir? From what source does he get this information? I would like to know that. He is not here. He has made the statement and he has built up his whole argument on the thesis that Kashmir has gone out of India. When I listened to him, it struck my mind that as if Kashmir is no longer in India. From what source has he got this information? How did he build up his argument in this way? If we want to have an amicable settlement, if we want to have a solution, we may not like it but we cannot deny the fact, we cannot deny the reality, and in every bilateral talk bilateral agreement the issue of Kashmir may come. When he spoke and profusely quoted Mr. Bhutto, he tried in fact to justify, to fortify his argument by quoting from Mr Bhutto that out of this agreement, out of this summit, Pakistan has gained all its points, all they wanted to do. I do not know whether Mr Bhutto has made such a claim. If a person speaks for three long hours, he will have to speak many things. If Mr. Mahavir had to speak many things in his own 45 minutes' speech it is natural that in a lengthy speech the last part will contradict the first part. If some of the utterances of Mr. Bhutto contradict the first part of his long, marathon speech, I have nothing to say, but the whole situation is to be taken into account. If Mr Swaran Singh says that Mr Bhutto has changed, it does not make any reflection in the personality of Mr. Bhutto. It makes a reflection on the situation. The situation in which Mr Bhutto spoke in 1964 or 1965 that situation does not exist in 1972. Pakistan is no more united. Bangla Desh has come to exist, and a sovereign, democratic republic of Bangla Desh containing 750 lakhs people are friendly to India. This is a *fait accompli*. This is the reality. If in this reality Mr. Bhutto is to come to Simla and have discussion with our Prime Minister, Shrimati Indira Gandhi, for an amicable settlement, surely he is changed man not known to him—he is a scholar, he is highly educated—is it not known to him that Bhutto's main purpose was to get back the prisoners of war? Has he succeeded in it? Is Mr. Bhutto

successful in getting back the prisoners of war? Is it not clear to him that Bangla Desh has a definite say? Has not the Government of India made it clear to him that without the concurrence of the Government of Bangla Desh no settlement is possible in regard to the prisoners of war? He tried to justify Mr. Bhutto.

He tried to find out the reasons from the speeches of Mr. Bhutto. At the same time he said that Mr. Bhutto is not to be trusted. Mr. Deputy Chairman, I fail to understand another point which he put forward. That is about the integrity of the territory. Actually, I do not understand what he meant by it. Does it mean that the portions occupied by the Indian Army form part and parcel of the Indian territory? Then you will have to create another international law.

SHRI N. G. GORAY: He never said that

SHRI PATAMBER DAS (Uttar Pradesh): Nobody would take that stand. He did not say that.

SHRI PRANAB KUMAR MUKHERJEE: Anyway, he may not have said it here, but it has been pointed out by other leaders and by your party.

SHRI PITAMBAR DAS: Anybody who knows the Indian Constitution cannot take that stand. He has not taken that stand.

SHRI PRANAB KUMAR MUKERJEE:

That is correct. Only the other day, Mr. Pitamber Das, he was raising the slogan—we have betrayed the jawans. I do not realise how we have betrayed the jawans. You spoke this slogan on the floor of the House. If you say that the jawans by laying down their lives and making supreme sacrifices have captured certain territories of a foreign country, and for that these should be integrated with India, that they form part and parcel of India and as that has not been done by the agreement and therefore we have betrayed the jawans, if this is your interpretation, I am sorry I cannot accept it. What did he say? It is a betrayal of the jawans. You said that our jawans have not been defeated, our countrymen have not been defeated, but this Government has been defeated. This slogan you raise on the foot-paths of this metropolitan city, this

slogan you are raising outside and on the floor of this House. What is meant by it? Who has been betrayed? We have won the battle of war and we have won the battle of peace. You should not forget it. And I can tell you. Even those people, when unilateral cease-fire was decided by the Prime Minister of India on the fateful night of 16/17th December, they objected to it. They forget the lessons of history. I can remind them that in 1869, when Bismarck invaded Austria and when the Prussian Army was ready to enter the palace in Vienna, he halted then and Bismarck told them, "We have conquered Austria in the battlefield of war and now will have to conquer them in the battlefield of peace." It was a master stroke of diplomacy. The same thing has been done by the Government of India by declaring a unilateral cease-fire.

Now, coming to the Simla Agreement, Mr. Deputy Chairman, nobody has claimed that merely by one agreement, the whole problems of the country will be solved. But it is also a fact that during the last 25 years we have desired peace with Pakistan and we have entered into so many pacts and those pacts have failed to produce the desired results. The Nehru Liaquat Pact was there after which the Jana Sangh came into existence. If somebody says that it was the creation of partition, it was a creation out of animosity towards Pakistan, it was a creation out of hatred for Pakistan, as a student of history I do not find anything wrong in it. When was it created? It was created in 1950. After the Nehru Liaquat Pact Dr. Shyama Prasad Mukherjee required from the Central Cabinet and went to form the Jana Sangh because he was opposed to that pact. If somebody comes to the conclusion that the Jana Sangh is a party which has the political creed of fighting Pakistan, of destroying Pakistan, a neighbouring country, as a student of history, I must say that he is correct. They cannot deny that. Out of partition it was created, out of animosity towards Pakistan it was created. When such a party lends supports to Bangla Desh, it is not for the cause of democracy or humanity or for the 750 lakhs suffering people of Bangla Desh but for weakening Pakistan they support the issue of Bangla Desh—if I come to this conclusion would I be much wrong? We wanted

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to create and support Bangla Desh not because we wanted to weaken Pakistan but for the cause of democracy we wanted to support it, for the cause of the suffering people of Bangla Desh, we wanted to support it, for cause of the ideal of liberty we wanted to support it, not to weaken Pakistan. But these people took up the issue of support to Bangla Desh with a motive they came to the conclusion that as Pakistan is in a tight corner now and let us now settle all our outstanding issues with it. If the Government of India, if the Prime Minister of India takes a generous attitude today, should we condemn them? Should they be finished? Should they be arrested as suggested by Dr. Mahavir? It is a good gesture that they have shown which is in accordance with the Indian tradition.

Dr. Bhai Mahavir mentioned the name of Asoka. He forgot when Asoka stopped the war. He stopped the war as soon he won the battle of Kalinga and forsook the path of war, the path of violation. These people talk of Indianisation. Sir, it is the Indian culture and tradition which teaches us to be magnanimous in victory. And if India today in the better bargaining position assumes the role of a magnanimous party, I do not find anything wrong in it. This is clear in every wording of that Treaty, every wording made by the Prime Minister and the honourable Minister of External Affairs. They have never accepted that something miraculous will come out of it. They have never said that some magic would come out of it. Much depends on the attitude of Mr. Bhutto. Who denies that Mr. Bhutto may change his attitude? Nobody can stand surity for Mr. Bhutto's attitude. Dr. Bhai Mahavir may stand guarantee for Mr. Bhutto because he quoted profusely from him. From his speech it appeared that Mr. Bhutto has sent a strong advocate in Dr. Bhai Mahavir to this House. But we cannot stand guarantee for him.

SHRIMAN SINGH VARMA (Uttar Pradesh): It is strange.

SHRI PRANAB KUMAR MUKHERJEE: It may be strange but it is certainly my understanding and I can speak of my own understanding and not the understanding of Mr. Man Singh Varma. Who can give guarantee of Mr. Bhutto. Nobody can guarantee? He is an unpredictable man. Everybody is

unpredictable in such a situation. It is the situation which has to be judged, which has to be reviewed. In the present situation if one can come to the conclusion that there is some genuine earnestness in the attitude of Mr. Zulfikar Ali Bhutto to come to a settlement with India, then I do not think as a man of ordinary prudence, as a man of ordinary common sense he is doing anything wrong. And what is the way out. From his 45-minute speech I failed to understand what he expects of the Government of India to do. Should they use force? Should they continue war? Should they destroy the entire developmental activity of this country because some big power wants it that way? Are they echoing the feeling of that big power? Are they playing to their tune that India should go on a perpetual war with Pakistan so that all the developmental activity, all the constructive activity of the country comes to a standstill? I follow what they want. In that case they would say that this Government has failed to implement the programme of "Garihi Hatao", they have failed to implement the developmental programme. They want to seize such an opportunity out of that. We desire peace. We want development of this country. For the last 25 years they have tried to come to mutual agreement with Pakistan. But because of the leadership of Pakistan it was not possible. It is because of the attitude of hatred for which Dr. Mahavir and his party have contributed in this country, and in that country it has not been possible. Let us not forget that there are communal parties in this country and that country who are trying to perpetuate communal riots, who have been trying to keep an anti-peace atmosphere in this sub continent. And because of these things it was not possible to come to a no war pact with Pakistan. Therefore, Mr. Deputy Chairman, Sir, if we can get the opportunity why should we not take the earliest opportunity, howsoever humble it may be, howsoever simple it may be, howsoever minimum it may be. What stands in the way of taking this opportunity to arrive at a peaceful settlement with Pakistan? This Agreement should be viewed only in this context. No tall claim has been made. The only tall claim that we can make is that we have showed generosity, that we have showed magnanimity, and on that issue definitely we are to congratulate our leaders. They have taken the right path.

They have taken the right course There was no other alternative.

Dr Bhai Mahavir has profusely quoted from Mr. Bhuttu and certain other newspapers. Mr. Deputy Chairman, I have not studied as much as he has But I can quote from certain foreign newspapers who have expressed their reaction on this Agreement.

I quote from the *Times* :

"The Simla meeting may suggest a very slow beginning but for all that a sure one."

This is according to the *Times*.

The *Guardian* says :

"Simla considered coolly seems the best possible start—one that in constructive statesmanship puts many other long running world crises to shame."

This is from the *Guardian*. Then,

"Simla would not only enhance the promise of undisturbed economic progress for the countries concerned but for the development of the entire South East Asia "

This is from the *Daily News*, Colombo.

Then there was a newspaper report about the comment of Mrs Vijaya Raje Scindia I think she is the queen of Gwalior or something like that

AN HON. MEMBER : Not now.

SHRI PRANAB KUMAR MUKHERJEE : Whatever it may be She has praised highly Mrs Golda Meir, the Prime Minister of Israel. Now what does Mrs. Golda Meir say ? She says :

"The Indo-Pakistan Agreement is an encouragement for improving relations between hostile countries by mutual and bilateral talks."

SHRI BHUPESH GUPTA : Do not quote her.

SHRI PRANAB KUMAR MUKHERJEE : They have quoted her. Therefore, I referred to her.

SHRI BHUPESH GUPTA : I would advise you not to quote her.

SHRI PRANAB KUMAR MUKHERJEE : I quoted her because Mrs. Vijaya Raje Scindia while criticising our Prime Minister, referred to Mrs. Golda Meir.

So, this is the reaction of the world Press, this is the reaction of the people of this country excepting a handful of them who believe in perpetual animosity with Pakistan, who believe in the destruction of Pakistan If they think that destruction of Pakistan is the goal of Jan Singh, I humbly say that not a single Indian would support it. They cannot have this attitude. We want to live in peace with our neighbouring countries. We cannot forget that till 25 years ago, they were part and parcel of us. Mr. Deputy Chairman, a country as friendly as Bangladesh has come. And another friendly country can come out of West Pakistan, West Pakistan itself may turn into a friendly country Nothing is a closed chapter in history. Therefore, we should take this opportunity, whatever minimum start it may give us, whatever minimum dividend it may give us, we should take this opportunity. And I congratulate our External Affairs Minister and our Prime Minister for the bold step that they have taken. Thank you

SHRI S. G. SARDESAI (Maharashtra): Mr. Deputy Chairman, Sir, there is not the remotest doubt that the vast majority of the people of our country have already given their verdict on the Simla Agreement. There is no doubt that they have welcomed it. And there is no doubt that they are happy about it. For what reason ? I want to say that the people of our country are happy and have welcomed the Simla Agreement precisely for three points to which my friend, Dr Mahavir, did not make any reference at all. Those three points are the question of peace with Pakistan, good neighbourly relations with Pakistan . . .

SHRI PITAMBER DAS : He has left them for you.

SHRI S G SARDESAI : Yes, he has, and the implications of it you will know in five minutes. He did not refer to the question of friendly Hindu-Muslim relations within this country and he did not refer to the sinister policies of the British Government before India became free and the sinister policies of the Anglo-American imperialists after India became free in the relationship between India and Pakistan. They are just three minor points for him. They are so insignificant for him that he does not even consider it necessary to mention the question of good neighbourly relations, to mention the question of Hindu-Muslim amity inside the country, to mention the question of imperialist intrigues with regard to Indo-Pakistan relations. I want to assert that it is precisely because of these three reasons which are upper most in the minds of crores and crores of Indians that they have welcomed the Simla Agreement.

Now, first and foremost I want to refer to the question of imperialist intrigues. All the time he was saying Pakistan did this, Bhutto did this, Ayub Khan did this, and so did this. Very true. May I ask him a simple question because it is necessary in this debate. First and foremost who was primarily responsible for the creation of Pakistan? I ask this in all sense of responsibility. I say not Mr. Mohammad Ali Jinnah, not the Muslim League, it was the British Government which was primarily responsible for the creation of Pakistan . . .

SHRI BANARSI DAS (Uttar Pradesh) and the CPI also.

SHRI S G SARDESAI : You will not understand the CPI. I am dealing with the Simla Agreement now, not the CPI. I am telling you something which you should know. As early as 1905 and 1906 Minto's eminences point out that long before the Muslim League went to Lord Minto for separate electorate, it was Minto who thought of the separation, of a separate electorate. It was he who suggested to the leaders of the Muslim League in 1909. In 1930 the representatives of the Muslim League appeared before the Joint Parliamentary Committee with regard to the Indian Constitution. It was the British labourites, the Conservatives, on the Joint Parliamentary Committee in Great Britain who asked the Muslim League leaders,

"Don't you want Pakistan?" They replied "No, no, some student has written it." There again it was the British rulers who first brought in the question of Pakistan. That thing has continued even after independence. When India went to the United Nations with the complaint that the raiders had come through Pakistan, Zafrullah Khan was there in the United Nations and he was turning and twisting just to explain how they came from Pakistan. It was the British representatives, it was the American representatives, who first said in the United Nations that Jammu and Kashmir has the right of self-determination. Of course, I am not excusing the leaders, the rulers, of Pakistan. What I am saying is, what hurt me, what offended me, most in the speech of Dr Mahavir was there was no one mention of the fact that formerly it was the British rulers, it was the imperialists, who intensified the Hindu-Muslim conflict. And after Pakistan it is once again the Anglo-American rulers who are intensifying this. If he had first pointed out this and then he had come to Bhutto I would understood it. But not one word about the British imperialism, not one word about the American imperialism who are pouring billions and billions of dollars of military aid into Pakistan. Then I say it is the voice of America, it is Nixon's voice, it is not the voice of Indian patriotism. How do you forget this? And that is precisely why I say that the common Indian for decades and decades, in the last hundred years, fought for freedom and always wanted Hindu-Muslim friendship. He knows it is the imperialists who created Pakistan. So the moment he feels some opportunity is open, some chance is there, to keep imperialist intervention outside, to have direct contacts with Muslim leaders, that very moment, the good heart of the Indian concept sees that there is some hope. (Interruption) that is the meaning of bilateral talks—The most important thing is I would welcome and my party welcomes this Simla Agreement. Once again the situation is arising and here is the Indian mind asserting itself, that is, if you can keep out imperialists, if you keep out their intrigues, I believe, if not today tomorrow, if not tomorrow the day after tomorrow, our differences can be settled; sooner or later we can settle these differences. That is my fundamental difference with what Dr Mahavir said, I may repeat a hundred times, you do not have a word

of condemnation about the Americans, you do not have a word of condemnation about the Britishers, and you are only accusing the leaders of Pakistan. This is something which no Indian is ever going to tolerate. And that is what is in your mind. Let me pass on step by step to the other things you were saying. The first thing which strikes most Indians who want peaceful relations with Pakistan, who want good neighbourly relations with Pakistan is . . .

SHRI BANARSI DAS : Why Roosevelt

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(Interruption)

SHRI S G SARDESAI : Please listen to me. I am talking of Nixon not of Roosevelt. Please listen to me. Why do you fight your battles with me? Why are you shouting at me? While I am attacking the Americans, why should you be hurt?

(Interruptions)

A question has been raised about Kashmir. I want to be very blunt and straight about it. Surely our position is that the accession of Kashmir to India is correct and valid and it stands. Surely, we have taken that position. But whatever may be the legal position, the fact remains that four invasions have been there. The fact remains that this question has to be settled as a question of history. I am not going into the legal rights and so on. I am asking a straight question. Should we go to war with Pakistan for the liberation of the occupied Kashmir territory? And so long as there is imperialistic intervention, there will be no solution whatsoever to this problem. Now, war must be ruled out. If you rule out war, then what is to be done to solve the problem? What was the position of the rulers and leaders of Pakistan all these days? Their position was—till recently even Bhutto's position was this—"Whatever may happen in Kashmir, the people there are our oppressed brethren. We will enter Kashmir and we will liberate them". That has been their position. On this particular point the Simla Agreement is absolutely clear, that there will be no intervention through infiltrators or otherwise. There is a specific clause there. It further goes to say that the ceasefire line after 17th December is not to be violated. All these years the position of the Pakistani rulers has been

that they have the right to go in and liberate the people there. Now for the first time the rulers of Pakistan said that they cannot go. This is the change. This is the new thing which has happened. After this, if you say you want to negotiate, what is wrong in it?

Another point is this. The Prime Minister was accused just now. Sardar Swaran Singh was accused. I want the Foreign Minister to be very frank on this point. There is no doubt that the question has been reopened. If you want to argue like a lawyer, it is a different matter. But what is the position? I want to remind this House that it was the late Pandit Jawaharlal Nehru who, years ago, offered to Pakistan that "if you are prepared to settle on the ceasefire line and accept it as a permanent, international line, I am prepared to consider it." Quotations have been given from that great patriot. This was the offer made by him. We all know it. If that is so and if in the course of this entire development in the coming years a certain situation arose when the ceasefire line with certain changes is accepted as the international line, I want to ask, will the Heavens come down? I want to ask this straight question. Of course it will be with the sanction of Parliament. I do not want that to be done at the back of Parliament. We say Parliament is supreme and I am supremely confident that if that issue comes before Parliament as a practical question, the wisdom of Parliament and crores and crores of Indians will come to this conclusion that rather than going to war with Pakistan and keeping this question eternally pending and thus opening up chances for China and America to intervene, this is in the interests of the whole country. . .

(Interruptions)

SHRI BANARSI DAS : On a point of order. . .

SHRI S G. SARDESAI : I am not yielding. . .

(Interruptions)

SHRI BANARSI DAS : I am on a point of order. . .

SHRI S. G. SARDESAI : No, Sir. What I am saying. . .

SHRI S. D. MISRA : He is on a point of order.

MR DEPUTY CHAIRMAN : But he is not yielding.

SHRI S. D. MISRA : On a point of order, Sir

श्री बनारसी दास : श्रीमन्. माननीय सदस्य संविधान के खिलाफ यह प्रस्ताव कर रहे हैं कि इल्लोगली काश्मीर का ओकुगाइड पार्टी पाकिस्तान को समझौते के रूप में दे दिया जाय। यह भारत के संविधान के विरुद्ध है और माननीय सदस्य ने ..

(Interruptions)

MR DEPUTY CHAIRMAN : No, this is no point of order.

SHRI S. G. SARDESAI : This is a distortion of what I said. I said that Parliament is supreme, that Parliament is sovereign and that the Indian people are supreme and the issue should not be decided and will not be decided without the supremacy of Parliament and Parliament has to decide that. I said that if and when the issue comes, Parliament has surely got the right to change the position. It is not wrong. I am saying that Parliament should do it and that it has got the right to do. I am not saying that you should do it against the Constitution. But I am giving the opinion that if and when the issue arises, we would know what the opinion of the Indian masses will be, what the opinion of Parliament will be and the opinion of Parliament and the Indian masses will be this : "Settle the issue for good. Let us be friends and let us go ahead." ... *(Interruptions)*. I am stating my opinion. When the time comes, we will see what the opinion of the Indian masses and this Parliament will be.

Now, Sir, I want to go to another question. . . They talked of Patriotism. . . *(Interruptions)* . . . We all know who are patriots. . .

(Interruptions)

MR. DEPUTY CHAIRMAN : Please let him go on.

SHRI S. G. SARDESAI : I am placing

all my cards on the table. We Communists do not hide our views.

Sir, the last point is the question which has been raised and that is about the trustworthiness. Can Mr Bhutto be trusted? This is the most important question which perturbed Dr Mahavir very much. I have to give a reply to him. Now, Sir in politics, one word nowadays has become very common and we should fully understand that word and that word is "reality", that word is "realism". The question is not about the subjective sincerity or insincerity of any person; the question is not about the subjective honesty or dishonesty of a certain person; but it is about the completely changed situation which has come about in the recent times. And what is the change in the situation that has come about, not only after 1962, but after 1965, particularly during the last one year or two? First of all, the whole part of what was formerly East Pakistan has gone out. That is point one. That is much more important. You are quoting from Mr. Bhutto's speeches. One thing he has said again and again. They went to the United Nations; they joined the SEATO. They joined the CENTO they got two billion dollars worth of army aid from America, and they have got an amount of aid from China. So they pursue, a policy of confrontation. But, ultimately, what did they gain? They lost East Bengal. Now Sir, this is a question of experience. It is a question of reality. Now, my point is this : Granting for the sake of argument that Mr. Bhutto is extremely unsteady, that he is cheating us—I am not arguing for his honesty—even Mr. Bhutto has to see that 25 years of confrontation together with the American support, together with the UN, SEATO, CENTO and China, has not brought him Kashmir, but the confrontation has made them lose East Bengal. Now, this is something which even a man with bad intentions can see. You are raising the question of honesty and dishonesty, trustworthiness and untrustworthiness. But, my point is that you should know the reality in Pakistan. The main running thread of Mr Bhutto's speech this time is this : "We did this. But it has not given us dividends". You can take the entire speech. The main running thread of his speech is this : "We followed a path which did not get us what we wanted. We wanted Kashmir". That is why

are they changing. My point is that you must see the change in the situation. The whole situation has changed. This is the most important point.

Now, take the question of the democratic forces inside West Pakistan. Does not Mr Bhutto see this? On the question of language, that is, Sindhi and Urdu, for the first time Mr Bhutto has made a compromise which, in Pakistan, earlier no one could do, no one dared to do. Did Mr Ayub Khan do it? Did Mr Yahya Khan do it? They could not do it. But, Mr Bhutto has done it. Then, take the discontent in Baluchistan, take the discontent in Sind; and take the discontent in the North-West Frontier Province. Mr. Bhutto understands that if this question is to be settled, if the unity of Pakistan is to be maintained, the policy of confrontation with India cannot be pursued, any more. "If you pursue a confrontation with India, military dictatorship in Pakistan is inevitable. You cannot have confrontation with India and follow the other course".

Another thing — the most interesting thing — which struck me when Bhai Mahavir was speaking was that I thought his entire speech was just like a Jamait-e-Islami speech in the Pakistan's National Assembly... (Interruption) They denounced President Bhutto. For what? For selling out Pakistan to India" — just as Bhai Mahavir was denouncing our Prime Minister for selling India to Pakistan... (Interruptions). There they are saying to President Bhutto, "You are a coward; you have gone back; you have sold ourselves, you have sold our principles". I hope Bhai Mahavir will learn at least something from them.

But the point is not that. The point is that whether it is Bhai Mahavir or Jamait-e-Islami, both them forget America and Great Britain. That is my point: America and Great Britain are very much there down to this moment. They are there, unfortunately for us, Chinese are there. The direct reference to Kashmir in the Nixon-Chou statement indicates that they have still got interest in these matters. They want to precipitate matters; they want to continue the tension. In this situation, if you end the confrontation, if you put an end to the situation where India and Pakistan are kept at logger heads that is a good day for us;

that is a happy day for us. Sooner or later, we will settle all our differences. I am not saying that Bhutto is fully dependable. He would not change overnight. But you must see the history.

Now, the whole question has been raised here whether we should have confidence in Bhutto or we should have confidence in the Indian people. I may simply say: You should have confidence in history. There is such a thing as history of Asia and history of the world. And step by step we can go on.

Another point that I would like to make, Mr. Deputy Chairman, is to the Treasury Benches. That is also necessary. Particularly in recent statements we find it very often being said that now we are having bilateral talks and all these kinds of things should eliminate intervention of any third party. Very good. I am not for the intervention of any foreign party, including the Soviet Union. I want to make it perfectly clear before you ask me this question... (Interruptions) That is your disease which I am anticipating...

श्री मान सिंह वर्मा : चोर की दाढ़ी मे
तिनका ।

SHRI S G SARDESAI : I want to ask this question. In the United Nations, from the very beginning, the Soviet Union has stood by us. In the matter of Bangla Desh they stood by us. On Goa they stood by us. I want to know which is the issue on which they did not stand by us. They have absolutely accepted it as a principle that we should settle our differences ourselves. I do not want any intervention. But so far as our Indian history is concerned — pre-Independence and post-Independence — it is the Anglo-Americans who have always intervened. The Soviet Union has never intervened. You do not have a shred of evidence of any such role of the Soviet Union. There is no such evidence. If that is so, I am entitled to know as to why you go on bracketing the two together: This is like the Grammarian *Panini* who bracketed together the dog and the Lord Indra because the two form the same group of nouns in Sanskrit. But politics is not grammar. Here I
4 P.M. am talking of politics. I am talking of history; I am not talking of the real role of the country in this world. The two should not be bracketed together.

[Shri S G Sardesai]

We have a Friendship Treaty with a certain country. Let us not do it.

So, what I am saying is, I fully welcome this Agreement; my Party welcomes it, welcomes it for the first time because imperialist intervention gets no chance

I do not think that any ruler of Pakistan will have to change. History behoves him. Therefore, a new prospect is there of new tendencies in the support of democratic forces all over the world. Let us go ahead with confidence, I am sure we can go ahead with confidence and determination.

Let me once again repeat. Having made certain kinds of concessions, against which the Jana Sangh will shout, similar concessions, will have to be made. I am not going into the future. In the past, Nehru was attacked; Mahatma Gandhi was attacked. I would go a step further. In 1916, when Lokmnya Tilak made the Lucknow Pact—I have got Tilak's speech in my hands—even he was attacked. 'You are selling out India to Muslims', they said. It happened in 1916. This has been the continuous shout of Hindu communalism in this country—before independence and after independence. Let us ignore it.

Only one thing I will state. Dr Bhai Mahavir's speech reminded me of a story of Bernard Shaw. Bernard Shaw went to see a play written by himself. There the audience shouted 'Come to the stage'. Shaw went to the stage. One man in the audience shouted 'Boo'. Shaw said to him 'even if I were to agree with you, but we are in a hopeless minority'. Thank you.

DR. BHAI MAHAVIR: Good pleading for the Soviet Union.

SHRI VIDYA PRAKASH DUTT (Nominated): Mr. Deputy Chairman, Sir, I should like to consider the Agreement arrived at Simla between the leaders of the two countries in a somewhat larger context. I should like to point out to this House the framework in which the world moves and the framework in which the present national developments have taken place.

I believe that we can shut our eyes to what is happening around the world only to

our own peril. If we look around the world, and if we delve into the history of the last twenty five years, especially the history after the second World War, what do we find? We find that everywhere there was the hand of big and small powers, everywhere there was foreign intervention—whether in Korea or in Indo-China or in Germany or in West Asia or in Africa. Everwhere there has been the hand of foreign intervention. And what has been the result of this foreign intervention? What has been the result of trying to get results, trying to achieve peace through third parties? The result has been that countries have been torn asunder, nations have been divided, peoples have been pulled apart, neighbours have been pitted against one another. It has created vicious spheres of influence. All this has been the result of foreign intervention, all this has been the result of trying to get what you want through third parties, through the good offices of other countries. Learn one lesson which the people of Germany have learnt and they learnt it to their better cost. If there is one lesson that the people of Korea have learnt, they have also learnt it to their better cost. And if there is one lesson that the people of Africa and West Asia are painfully learning, it is that the resolution of the problems lies in their taking matters in their own hands and excluding foreign intervention. Sir, we can only look at what is happening in Indo-China, in Vietnam. Though I am not blaming anybody I am only pointing out the facts that when Vietnam was burning, when it was being bombed, maimed and crippled, being destroyed yard by yard, foot by foot, and almost inch by inch there were other big powers concluding agreements among themselves. Now I am not blaming them for concluding agreements among themselves. They thought that it was necessary, in their interests, to conclude them but what I am pointing out to you, to this House, is the moral and that is that whatever the powers do would be in their interests, no matter who burns, who is killed who dies. And what has been our own experience? For 20 years or more we have had foreign intervention in the sub-continent we have had foreign powers meddling in our affairs. That is one aspect of it. You may not agree with it but the facts are there and it is for others to draw the moral. What I am saying is that our own experience in India of foreign powers meddling in our

affairs has been that in the case of every problem that has come up before them they have looked at it in the context of their own interests, in the context of their own needs and objectives, in the context of what was happening elsewhere in the world, and not necessarily in the context of the merits of the case at all. We know for instance that there have been foreign powers who have taken interest, who have had their finger in the pie so to say in the affairs of the sub-continent for the last twenty years or so and what has been the yardstick, what has been the criterion of looking at those things? I do not want to delve into ancient history but I should only like to mention what was the attitude towards Pakistan of one great power and why that attitude was adopted. Well, I would only quote the Director of Mutual Security Administration, Mr Harold Stassen, who defended military aid to Pakistan in these words

"We feel that Pakistan will become a second Turkey. They are a stalwart people and will provide an anchor in the Near East. We have one another in the Eastern Mediterranean pretty well developed and at the end, the Near East the protection has been weak. Now we are developing what may be an opposite anchor in Pakistan. It may be a slow process. Things might be upset but that is the direction in which we are moving."

Therefore the support to Pakistan was in order to make it another Turkey, in order to strengthen the r sheet anchor in this part of the world, not because Pakistan was right on Kashmir or Pakistan was right in its disputes with India. Their approach was not determined by the fact that India was wrong or India's position in Kashmir was not morally right but the approach to Pakistan was determined by the fact that Pakistan had to play the role of a Turkey in this part of the world.

Similarly we know what role another great power has played, that is, China. We know that China has been functioning on the premise that our enemy's enemy is our friend, that we should have a counterpoise against India, we should have a counter-weight against India in Pakistan. Therefore the question was not whether the struggle of

the people of Bangla Desh was just and moral or not, whether the people were fighting against injustice and for principles or not, but the question was would Pakistan be weakened as a counter-weight against India. Therefore as I said we know what has been our experience of foreign meddling in our affairs. Mr Deputy Chairman, this is one aspect of the situation, one aspect of the problem that I would like to present to the House.

There is the other aspect of it too and that is the developing situation in the world, the trends in the world of what is happening all around. I would like to say that this is the decade of detente. If the fifties could be called the decade of the cold war and the sixties could be called the decade of thaw and reorganisation, the seventies could be called the decade of detente. There is the USSR detente. There is the U S — China detente. There is the West-East German detente. There is the North-South Korea detente. There is detente in Europe. Now this detente obviously has a certain meaning and a certain implication for this country also, and that implication is, while the world is going towards one direction, there are voices here, shrill and strident, which demand that we go in the opposite direction. While countries of the world are searching for new ways and areas of co-operation, of peace and stability, unfortunately, some people here are looking for new ways and areas of enlarging the conflict and consequently of foreign meddling and interference. Mr Deputy Chairman, Sir, it is a matter of regret that any effort at peace is being described as a sell-out and any attempt at lowering tensions is referred to as a betrayal, that any approach in balance and sanity is described as surrender. Sir, this logic was abandoned long ago in the four walls of the White House of the American Administration. This approach was buried deep in the plants of Europe and this concept has been scuttled even at the 38th Parallel in Korea. I am reminded of the words of Jawaharlal Nehru that in the fifties to talk of peace as if it was an appeasement was dangerous nonsense and we should not submit to it. This House will recall that only two decades ago to talk of peace was heresy for some countries of the world. Whether it was Korea, whether it was Indo-China, whether

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it was Palestine, whether it was Europe, any effort, any movement, towards peace, any mention of peace was considered to be tantamount to softness, to surrender, to appeasement. And when I heard this talk about surrender and appeasement, my mind went back to those days and I said to myself, "Haven't we heard these words before?" There was a time in the fifties when, whenever we put forward any peace proposals, immediately we were accused of appeasement, of being soft to certain countries, of surrendering. They said that Panchsheel was born in Sind? And where are those cold warriors now? Today, a chief proponent of the theory of appeasement goes to the path of revolution and declares his faith in Panchsheel. It is in black and white in the communique that has come from Peking. And then it goes to the citadel of communism and negotiates other agreements. But unfortunately there are cold warriors here who have learnt nothing and forgotten every thing. The United States gave a decent burial to its McCarthyism but, unfortunately the Indian variety of McCarthyism has not yet been dealt with. Still, there have been history hundred years of wars, five hundred years of enemy small wars, big wars religious wars, even global wars, between countries. But where are all those conflicts and enmities today? Today, history mocks at those conflicts and those enmities. Today, those very countries, which had engaged in such prolonged conflicts and periods of enmity are now engaged in the exercise of finding areas of peace, of trying to find agreements. Now, certainly sometimes a war is cast on the people, and whenever a war is thrust on the people, they have to fight. People have to fight for their independence, and we have fought for our independence many times before, and if we have to do it again, we will have to do it again. But to make a virtue of war a principle of conflict, a policy of hatred, is what I would call disastrous nonsense. To talk all the time in the language of war and victory is to ignore the lesson of history, the warning of experience and the trend of present day developments. Unfortunately, there are people for whom the only term of reference in the world is what either Israel does or what Formosa does. I have nothing against Israel. I wish the people of Israel well. I hope there will be peace there, but certainly you cannot say that Israel has set a model of conduct

in this world. Certainly you cannot say that what Israel has done is worthy of emulation by everybody else in this world. In fact, the model of conduct that Israel has established is a model which most people agree should not be followed by the rest of the world, that is, conquest and retaining the fruits of aggression. Now, for the first time a beginning has been made. A first step has been taken. For the first time the foreign powers had no role to play in what was happening in Simla. After the 1947-48 conflict, the Western powers entered the scene. After the 1962 conflict a number of gentlemen came here and under cover of assistance put pressure on us for negotiations with Pakistan. After 1965 we had Tashkent. We do not have to be apologetic about Tashkent. I do not think there was very much to be proud of Tashkent. At the same time, there is no doubt that some countries did look up to other powers in order to resolve the problems here. Now, for the first time, a move has been made, a step has been taken towards a bilateral discussion of the problems and issues, keeping out the foreign hands. Is this good or is this bad? Is this to be welcomed or is this to be decried? At the same time, it seems to me that some realisation is seeping down among the people in the neighbouring country that foreign intervention has got them nowhere, that it is in their interests and our interests that we should resolve our problems directly. Should not this trend be encouraged? Should not this trend be taken forward? Should we not give a positive direction to this trend? It has been said again and again that Mr Bhutto has been insincere. Well, Sir, in the first instance, Mr Bhutto will not be a convert if he were to hear the debate here. Some of the things said today would not make him a convert to a policy of friendship towards this country. However, that apart, I should like to remind the House that sincerity is not regarded as a particular virtue in international relations and the question is not one of sincerity or insincerity. Are those people sincere who talked of revolution yesterday and talk of dialogues today? Are those people sincere who preached holy war of freedom yesterday and of peaceful co-existence today? Are those people sincere who talk about the independence and freedom of the people of Bangladesh today, but who did not distinguish between one

Pakistan and another only a few years ago ? The question is not one of sincerity or insincerity in international relations. The question is what is the actual objective situation to which you are reacting, to which you are responding. What is the situation faced by us ? There is a certain situation and that situation is that there is a certain reality. There are certain realities. One such reality is the emergence of Bangladesh as a friendly, progressive, non-aligned, democratic country. That reality cannot be wished away by Mr. Bhutto, whether he is sincere or insincere. A second reality is that the war in 1971 did take place and it had certain consequences. The reality of the war and the reality of the consequences of that war cannot be wished away. Certainly another reality is that India emerged as a stronger force to reckon with, to deal with in this sub-continent. Therefore, India has emerged as a more viable and stronger and stable country. That reality cannot be wished away whether Mr. Bhutto is sincere or insincere. Therefore, my submission is that we cannot go on looking under the carpet to see what the other person's motives are, whether the person is sincere. We have to look at the objective situation as to whether the person has any other alternative and whether he has some other course of action he can take.

It has been said again and again in this House that we did this or we did that. I should like to say that there were two or three objectives for which this country was fighting, and this country had accepted those objectives. Those objectives had been made quite clear before the end of the war. Objective number one was that the people of Bangladesh will have the right to decide their own future. Objective number two was that those people who had come here and sought shelter here would be sent back in honour so that they could go back and live there peacefully. The third objective was that we had no territorial claims against Pakistan, no territorial ambitions against Pakistan, that our objectives in fighting the war in the west were limited, limited to resisting the aggression, to meeting the aggression. Why then those objectives were not challenged at that time ? Nobody challenged those objectives at that

time. Therefore, today for someone to say that those objectives have been sacrificed is flying in the face of reality.

It has also been said that there is no package. Statements of Mr. Bhutto have been quoted. Unfortunately, Mr. Deputy Chairman, this business of quoting people is a very difficult and a very unrewarding process because you can quote it either way. Did some of my friends expect Mr. Bhutto to go back to Pakistan and say, "I am sorry, I have surrendered everything, I am a defeated man, this agreement is imposed on me, please take it" ? Did they expect Mr. Bhutto to say that ? Would he have gone before his people in sackcloth and ashes and have said, "Well, my countrymen, I have lost everything, India has won everything, here is the statement" ? I am sure nobody is so naive as to expect that this kind of thing would happen.

There are various other things which can be quoted from Mr. Bhutto, and Mr. Bhutto himself has said that the real question is the question of relationship with India. What kind of relationship do the people of Pakistan want with India ? That is the real question. He has also said that the right of self-determination was lost in 1948. I do not want to quote all those things Mr. Bhutto has said. Mr. Bhutto has also said that those who are asking for confrontation with India are agent provocateurs. Mr. Bhutto has also said that if they want to fight, they will have to have another leader. Mr. Bhutto has also said that Pakistan cannot fight India for another five or ten or fifteen years. That is what he said. That does not matter. That is not the question, what Mr. Bhutto said or did not say. The question is, what is the objective reality, is there package or not ? I say there is a package of three points which has emerged out of the Simla Agreement. Number one is that the two countries shall resolve their differences through peaceful means and bilateral negotiations, and this also I say that for the first time it has been stated so explicitly that the two countries will resolve all their issues bilaterally and through peaceful negotiations. Of course you can say that they can go back to the United Nations. Even if you have an

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agreement saying in black and white that there will be reference to the United Nations, does it bind any leader of Pakistan not to take it to the United Nations. Does it bind any leader in this country not to take any problem anywhere? The question is what is the spirit behind. I say that what has emerged out of the package is that the two countries have agreed to resolve their differences through bilateral means and through peaceful negotiations. The second package is that there will be no unilateral altering of the situation. There will be no support to subversion, there will be no clandestine arms supplies given, there will be no activities which will tend to change the situation in the sub-continent which is already existing. Thirdly, gradual steps will be taken to promote friendly relations between the two countries. I say this is the package, and what we have to consider is, is it a package worth looking at or not? Is it a package in our interests or not? Is it a package which advances the interests of the two countries this is only the beginning, or not? Now, I realise that this is only the first step. Nobody has claimed that we have solved all the problems with Pakistan. There are miles and miles to go.

MR. DEPUTY CHAIRMAN : You have taken quite some time.

DR. VIDYA PRAKASH DUTT : For 25 years now there has been a conflict, there has been cold peace, there has been hot war. Whom does it all benefit? These bloated military budgets, the suicidal arms race, this crushing poverty of the people—whom does all this benefit? Certainly not the people of India or the people of Pakistan or the people of Bangla Desh. Vigilance is always called for. But if there is a chance for peace, let us grasp it.

In the end, I would say that the situation is being transformed in the sub-continent, that there is a new movement in Pakistan, in India and in Bangla Desh, that the people are realising that the era of conflict is over, there is the beginning of a new thinking, and if this new thinking can be encouraged and developed, if the people of this sub-continent come together in peace and cooperation this sub-continent will be a force to reckon with in the whole world.

SHRI A. P. JAIN (Uttar Pradesh) :

Mr. Deputy Chairman, we on this side of the House have certain objectives before us. We want a certain type of peaceful order to be established in the world, we do not want confrontation, we want peace to be established in this sub-continent between its different components, India, Bangla Desh and Pakistan. It is in that light that we evaluate the Simla Agreement. On the contrary, there are some friends here in this House who look at it otherwise. They consider it to be bad. Now, Dr. Bhair Mahavir, about the end of his speech, pleaded that the Jana Sangh had given some amendments and they want this Motion might be accepted with his amendments. Let us understand the implications of it. It will be a virtual denial of the Simla Agreement. And what are the options open? Either we revert to the position of the last 25 years when there have been three or four wars with Pakistan and a whole period of cold-war. Or we make another war upon Pakistan. Is it that they want? I am sure that it is not their intention. But the unavoidable result of what they say is, declare a war or revert to confrontation of the last 25 years. Now, certain other consequences may also flow. If there is a break with Pakistan that if the Simla Agreement is repudiated, then the big powers, the outside powers, which have been interfering in the affairs, of their area might again be brought into the picture. It is possible that Mr. Bhutto may lose his office. And what is the alternative? The alternative will be military rule there. So, we have to see what is going to be the consequences of the repudiation of this Agreement. And judging from that, I have no doubt in my mind that this Agreement is a good Agreement, it is a sound Agreement. It is an Agreement which may lead to the stabilisation of the situation in the sub-continent. It is an Agreement which aims at keeping the foreign powers which have been interfering in the affairs of the sub continent for a long time away from this area. It is an Agreement which if successful will bring in about peace in this area. Another point raised by Dr. Bhair Mahavir was that we made tall claims about this Agreement. Sir, anybody who goes through the statement made by the hon'ble Foreign Minister here yesterday, will find that they did not sit in the Simla Conference as a victor and a vanquished. We sat there as equal parties to negotiate an

agreement. Is that a tall claim ? He has himself quoted the Prime Minister. She is reported to have said that it was a worthwhile Agreement. In fact what the Government have said so far about this Agreement is a very modest claim. It is a beginning. It opens the channel for further negotiation. We want these negotiations to be successful. We want peace with Pakistan. We do not want Pakistan to be broken into pieces. We do not want chaos in Pakistan. We do not want military rule in Pakistan. And therefore, we have been quite considerate in dealing with Mr Bhutto.

Another question has been raised about package deal. Dr Bhai Mahavir could not quote the Prime Minister. He could not find anything in any of her speeches or announcement which promised a package deal. Bhai Mahavir appears to have become very fond of Mr Bhutto, always quoting him and finding support from him. But even supposing we take the literal meaning of package deal. Package deal is not necessarily one shot affair. Its special significance is that one agreement or a number of agreements put together should cover all the points on dispute. The agreement could not be package deal because it is not the final Agreement but a preliminary agreement which opens a way for the final agreement. That can be package deal. I quite agree that this is not a package deal. But who said that it was going to be a package deal.

Now, Sir, the main disagreement in the Agreement has centred round three points. One is the vacating of the territories occupied by us during the 14 days' war. The second is repatriation of POWs. The third is about Kashmir. Coming to the first question, let us go into history. Did not the Prime Minister make it clear even when the war was on that we did not have any designs on the territory of Pakistan ? On 17.12.71 when India ordered unilateral cease fire and the Indian forces were in fine shape, if we desired our forces could have smashed Pakistani armies and occupied much larger portion of Pakistan. But we did not want to occupy the territory of Pakistan. What we wanted was that Bangla Desh should be free. Bangla Desh has been freed. Therefore, we stopped the Indian army to move forward. But a unilateral cease fire was declared. It was clear that we are not going to keep, if with us the territory captured

by forces and they should be returned. I think that the agreement has honoured that intention. If we had done otherwise we would have gone back upon the word pledged during the 14 days' war and we would have done something contrary to what was expected from the unilateral cease-fire on 17th December.

As regards POWs, our position is very clear that the POWs had surrendered both to the Indian army and to the Bangla Desh army. Their future will have to be decided in consultation with Bangla Desh, and, therefore no vital decision was taken about the POWs.

SHRI SYED AHMAD (Madhya Pradesh) You are in a bloody mood.

श्री एस डी मिश्र देखिये, केसरी साहब हमी लोगो को परेशान नही करने, आप लोगो को भी परेशान करते है।

श्री ए. पी जैन हमारे दोस्त हैं, मोहब्बत से कहते है।

As regards Kashmir, Dr Bhai Mahavir referred to the last paragraph of the Agreement which says that the question of the final settlement of Kashmir will be taken up later. Now we have to understand fully the position of Kashmir. Kashmir has acceded to India. The whole of Kashmir, whether in our possession or in the illegal occupation of Pakistan is legally part of India. Have we surrendered any part of that claim ? Can Dr Mahavir point out to any portion of the Agreement or any discussions of talks, formal or informal where India has surrendered that claim ? I would respectfully say that we have not. But again there is the reality. The reality is that a fairly large chunk of Kashmir is in the illegal occupation of Pakistan. That is a fact which neither the Members sitting on the other side nor the Members sitting on this side can deny. Now if, we want to take back that chunk of territory which is in the illegal occupation of Pakistan, there are only two ways of doing it. The first is, we march our army into Pakistan. We have certainly denied ourselves that right. Even the Jan Sangh would not ask us to move the India army into Pakistan to recover the chunk of territory now in the illegal occupation of Pakis-

[श्री ए. पी. जैन]

tan. The other way is through negotiations. Now, if we stop all negotiations, what does it mean ? It means that we accept the *status quo* as it is, namely, that the entire Kashmir consisting of portion in our possessions and the Kashmir in the illegal occupation of Pakistan remains where it is, that in one part of Kashmir remains in their occupation and the other part of Kashmir remains in our possession. Naturally this thin has to be settled. There will have to be talks. It does not mean that we are going to surrender only territory to Pakistan. But you cannot deny that this matter has to be settled.

Then, Dr. Bhai Mahavir raised another objection to what the Foreign Minister is supposed to have said in the other House, namely, that there will be delineation of the line of action control. Now for this purpose, we must go back a little into the history. In 1948 a cease-fire line was declared; it was accepted by us, it was accepted by Pakistan. That cease-fire line was delineated and on both sides, U. N. observe are posted to see that it was observed. Unfortunately that cease-fire line has been a very flimsy cease-fire line. It has been valid in good weather, but with foul whether it had shifted to this side and that side. As a result of the 1971 war, we occupied about 500 sq. miles of the territory of Kashmir which was in the illegal occupation of Pakistan. They occupied about 50 or 60 sq miles of our territory. Now there the position stands. The Agreement provides that neither India nor Pakistan would violate the line of actual control as it existed on the 17th December, 1971. Therefore, a new delineations of the actual line control has to be done. These 500 or 600 sq. miles of territory which was in the illegal occupation of Pakistan before the 14-day war but is now in our occupation will have to be delineated, and the 50 or 60 miles of territory which was ours and which is now in the occupation of Pakistan will also have to be delineated. That is all that it means. But I would like to point out one thing to the Foreign Minister, that after the 17th December 1971 Pakistan occupied two of our posts in the Lipya Valley. They are still in their occupation. The Agreement is explicit that India and Pakistan would revert to the position as it stood on the 17th December 1971. Therefore, we are entitled to the return of these two posts. The withdrawal of the

Indian forces from the territory of Pakistan along Sind and Punjab border, within our possession must synchronise with the return of the two posts in the Lipya Valley must necessarily be returned to India. There are many advantages of this Agreement and as many speakers before have pointed out future our negotiations between India and Pakistan will be bilateral. But there are always limitations to even solemn agreements. I think we Pakistan and ourselves, must avoid the interference of any third power whosoever it may be, whether an Asian power or American or a European I think there are good prospects. But we must not forget that the present Agreement is only a provisional agreement and all what has been agreed here will depend upon what happens finally. Assuming—I do not want it—that there is a break of negotiations. We must understand its implications of what we have done. We must try to make a success of the agreement. But we must not forget its true implications. I commend this Agreement to the House. (end)

SHRI K. P. SUBRAMANJA MENON (Kerala): Mr. Deputy Chairman, our party welcomes and supports the Simla Pact arrived at between Government of India and Pakistan represented respectively by the Prime Minister of India and the President of Pakistan. Now it is worthwhile recalling here that our party from the beginning, that is, since our party was formed as a separate party in 1964, and before when our party was united, has always asked for and stood for good neighbourly relations with Pakistan, stood for peace and amity between the peoples of India and Pakistan. In fact, the situation was such that very often our stand has been misrepresented, misquoted and distorted and we have been maligned many a time as even agents of Pakistan. But history has proved us right and our pleadings with the Government have proved to be the correct thing. Even in 1965 when the then General Secretary of our party, Mr. E.M.S. Namboodiripad, called for a peaceful settlement of the dispute with Pakistan, he was branded as the agent of Pakistan and was even jailed. Now, this is part of history. Therefore, our party does not have any inhibition in supporting this Pact and thinking it that this is a good beginning to start with. In international relations it is very nice, to sound v y

courageous, to sound very hardhitting, but things do not happen like that. As you know, right or wrong is not decided according to the interests of a particular country or even the interests of a particular group of countries. But in international relations right or wrong is decided according to the interests of dominating powers in the inter-national field. Therefore, it is not always possible, even if our case is completely right, for our country to get what we want and it is not always possible for our country to enforce our will on another country. It has been clear that if it is a question of right, then the Vietnam war need not drag on so long because there is hardly anybody in this world who disputes the correctness of the Vietnamese people and their stand. Still war goes on and the whole world is standing aghast at it. But nothing happens and no settlement is arrived at and the aggressor carries on merrily. Therefore, the question of what is right and what is wrong is not decided according to certain absolute principles, but according to certain relative principles which are dictated by the dominant powers.

Secondly, in deciding the foreign policy of a country, what is necessary is not to forget the long-term interests and not to sacrifice the long term interests for the short-term interests or what seem to be the short-term interests. This is very important because it may seem to us that in the immediate future holding on to the territory of Pakistan which our troops had occupied during the recent war will be better for us. But is it worthwhile to hold on to it? Is it good for the policy of confrontation to continue for long? The history of the last 25 years has shown that confrontation with Pakistan and for that matter Pakistan's policy of confrontation with India has not paid dividends. It is no consolation to our people that Pakistan has suffered more in this policy of confrontation than India. But the fact is India has also suffered in this policy of confrontation. We have been loaded with a heavy defence budget. Our development plan and programmes have gone astray and our whole approach to international relations has been tainted by this policy of confrontation. Therefore when we decide on the question of international policy or even internal questions, we have to go by long-term interests of the

country, by the necessity of developing the country's economy, by the necessity of developing the democratic structure of the country and by the necessity of having a united and contented people within the country. That purpose can be served only by abandoning the policy of confrontation, by abandoning the big defence budgets which are imposed on us by necessities and by creating conditions for good neighbourly relations with Pakistan.

In this context I am reminded of an old rural proverb of Kerala. In Kerala we say that a neighbour, even if he is an enemy is to be wooed in preference to a friend who is far away. This rural wisdom which corresponds to the actual reality of life is also applicable in international relations. Therefore, Sir, even if a neighbour is at times unfriendly, is at times a little difficult to deal with, it is always a good policy in international relations to woo our neighbours to see that our neighbours are friendly with us and we have always good neighbourly relations with them.

Therefore taking all these points into consideration, we feel that this Pact is a good beginning. First of all, Sir, the Pact stipulates that the disputes between the two countries will be decided by mutual negotiations and the chances of imperialist intervention in the affairs of the two countries are lessened. I say, Sir, definitely it is lessened, because, things being what they are, our country and Pakistan being dependent on foreign aid, on so many other things from the foreign countries, it is not always possible for us to keep away the pressure of foreign interests, foreign imperialism, from interfering in the affairs of these two countries, especially in the relations between Pakistan and India and this has been so all these years. But, I do not think that by this declaration itself all the possibilities of imperialist intervention in the relations between India and Pakistan have been eliminated. But, Sir, the very fact that the declaration stipulates and accepts this thing is a great advance on what the situation was earlier. Therefore, our party welcomes it and feels it is necessary to request the Government of India to see that this declaration is carried out in all its import to the full meaning of the term and also to see that we do not give any

chance for foreign imperialism to interfere in the relations between us and our neighbours.

Then, Sir, the Pact also expresses the desire of the two countries to maintain harmonious relations and this is definitely a very good thing. All these years, as I have said earlier, both the countries have suffered because of the policy of enmity pursued by them which gave a chance for the foreign imperialism to interfere in our affairs. The Pact also gives opportunities for the exchange of cultural, journalistic and such other terms between the two countries. As you know, Sir, the culture of Pakistan, that is Punjab, Sind, Baluchistan, the NWFP, etc. is very much akin to the culture of North-West India and whatever may be the situation, whatever may be the present international situation, the fact is that essentially the people of North-West India and Pakistan are culturally, ethnically and in many other respects a homogenous group. Therefore, cultural exchange between these countries will definitely improve the people-to-people relations and will pave the way for lessening of the tension between the two countries and will pave the way for better understanding of each other's standpoint.

Lastly, Sir, we also support the stipulation in the Pact that the two countries will withdraw their forces to the pre-hostility line that is, to the international border except in Kashmir. Now, Sir, our party has immediately after the war, also declared that this should be done, because, if we are not going to gain anything by keeping this territory with us except a momentary passion, a momentary emotional satisfaction that we are holding another country's territory, there is no point in keeping it. In the long run it will not help us and therefore, it is a good thing that the Pact has stipulated that the troops will be withdrawn. Lastly; I come to the question of Kashmir which is yet to be the most important dispute between the two countries and which has dodged our all efforts for peace. For better understanding with Pakistan, our policy stands—with the approval of Parliament, of course—for declaring the cease-fire line as the international border.

Now, here I want to remind the House again that whatever may be our desires,

whatever may be our wishes, the fact remains that during the last 25 years we have not been able to dislodge Pakistan from the territory occupied by them. And it is no use saying that we will one day be regaining it. It is hardly possible. The international situation is not in our favour to get this sort of thing done because Pakistan has been supported on this issue not only by imperialist countries but also even by China. . . (*Time Bell rings*). Therefore, Sir, it is worth while for us to have a re-thinking on the whole issue and settle the whole thing and bury the hatchet once for all so that we can have a permanent solution for this problem and can have good relations with Pakistan.

Lastly, before concluding, I wish to point out one thing. Sir, It is very rarely that the Government of India does a good thing. But even when it does a good thing, it does it so badly. I am referring to the question of discussing the issue in Parliament before the formal ratification of the pact. Sir, I agree that the Constitution does not stipulate that the Parliament should ratify it, but propriety demands that when the Parliament is about to meet and when there is enough time for taking action for withdrawal and other things, we could have discussed this issue in Parliament. After all, the Government has got a big majority. Therefore, Sir, the Parliament can ignore such a frontal attack on its dignity and on its sovereign character only at its own peril. Therefore, I would say that while the pact is good, while we welcome the pact, Government's action in rushing through ratification of the pact by the President before discussing it in Parliament was highly improper. And I hope that the Government will not try to do this sort of thing, will not perpetuate such an affront to Parliament in future.

MR. DEPUTY CHAIRMAN : Mr. Abu Abraham.

SHRI ABU ABRAHAM (Nominated) : Mr. Deputy Chairman, Sir, much praise has been showered on the Prime Minister in this House and in the country as a whole for the manner in which she has handled the complex and explosive situation in the sub continent during the last eighteen months. I would like to add my own simple admiration for the firmness and cou-

rage with which she the led country in war as well as in peace

Obviously, if is too optimistic to say that a lasting peace has been achieved, nobody has made such a claim. A lasting peace will depend on many factors, most of which are unknown. But it is safe to say that a certain beginning has been made for a new and happier phase in the relations between India and Pakistan.

Now, this is not the way everyone in this country has looked at the situation. The Jana Sangh, for instance, has a totally different point of view. Ever since the Simla Treaty was concluded, Mr Atal Behari Vajpayee has been jumping to his own conclusions. And though has been falling on his back, he continues to jump.

In the last few weeks, General Vajpayee and his unhappy band of soldiers have been waging a war of their own on the Indo-Pakistan border. The spectacle of them rushing in where angels fear to tread would have been merely comic, and a good subject for cartoons, had it not also had its serious implications.

5 P.M.

What is serious about it is that a persistent attitude of hostility to Pakistan encourages the most reactionary elements in Pakistan to take a similar or even worse attitude to India. These elements in Pakistan are the very people who have thrived on hostility to India in the last 25 years, whose only foreign and domestic policy had been hatred for India. These are the enemies of democracy who have kept the people down so long.

The kind of agitation that we have seen in the last few days, the kind of mentality that it represents, is a sure way of playing into the hands of the extremists in Pakistan. It is also a way of helping foreign powers who would like to see this region divided and backward.

The Jan Sangh seems to have completely misunderstood the nature of the historical forces that have been at work on the sub-continent in the last few years. The most important feature that has stood out in all the confused happenings in Pakistan is that

the people of that country by and large have a real longing for democracy.

The signs are clear. The demand for autonomy in the different provinces is one way of saying that the people want more democratic freedom. In the same way, the language agitation in Sind, the demand of the news papermen for greater freedom—these are all part of the same phenomenon. In that sense, it is important to know that the Bangla Desh movement was not an isolated event, not an aberration, but it was a part of the movement for liberation from oppression. It is part of a general pattern of history—of post colonial history—which can be called the second phase of the anti-colonial struggle. This is the struggle for democracy, the struggle to clear up the mess left behind by the imperial powers and it is happening in many parts of Asia and Africa.

So, what Bhutto may or may not do is in this context a comparatively unimportant matter. Therefore, I believe that it is the duty of all of us in India to help these democratic forces. If we fail today to recognise these important forces at work in Asia, we shall only be isolating ourselves, and ultimately our own democracy would be in danger. The way we act today will determine whether the people of this sub-continent are going to live in peace and freedom for generations to come. A great deal, therefore, is at stake.

We should welcome every opportunity for developing contacts between India and Pakistan on the basis of friendship and democracy. The generosity shown by our Prime Minister in the negotiations at Simla has paved the way for such contacts and co-operation. We should now think of small practical ways in which the two countries can come closer together.

There have been suggestions for large-scale visits of newspapermen. We can also have similar visits of poets, writers, parliamentarians. We can begin this new era with a cricket match. A suggestion to this effect has already been made by the President of the Pakistan Cricket Board and if the Minister for External Affairs can arrange a match, I am sure he will be on a very good wicket.

[Shri Abu Abraham]

In conclusion, I would merely suggest that Members of this House should get free tickets.

Thank you very much.

SHRI D. P. SINGH : Mr. Deputy Chairman, Sir, the Simla Agreement comes at a most decisive moment in Asian history. It was bad enough for us in 1947, a painful process, to have agreed to the creation of Pakistan but when we reconciled ourselves to the situation the events that followed in the next 25 years were something that we had not envisaged, something that we had not bargained for. Whereas we have always tried to be generous and helpful and tried to maintain friendly relations, with Pakistan others—third parties—have not very much relished the idea. Their intervention in Asian and middle East affairs started with the power vacuum theory of Eisenhower and the brinkmanship of Mr. Dulles and ultimately it has resulted in the creation of SEATO and CENTO which have so much embittered our relations. Having armed Pakistan fully and having put them on the path of bellicosity after a couple of years we had to hear them saying, Asians are fighting Asians, what can we do in such a situation which is bad enough for the Asians. It is in this context that things have gone on. We have fought and they have enjoyed the history of the last 25 years is much too recent for us to recapitulate. But ultimately now what do we find? We find that various nations are anxious to show their flag in the Indian ocean and the situation is getting complicated. In such a situation when we see a sign of easing of tensions naturally it comes as a relief, it comes as a welcome feature. Now it is not merely a relaxation of tension that has been achieved there but what is most reassuring is the new awareness. Our friend, Dr. Mahavir seems to be distressed by the various statements of Mr. Bhutto. But it depends on what one looks for in the statement. Now one of the statements of Mr. Bhutto that was very reassuring was that these people talk about the nationhood of Pakistan at breakfast time, lunch time and dinner time but no thinks of the man in the gutter, the people whose situation has been deteriorating and the poor man has gone on suffering and starving. That is the new awareness. In the same strain Mr. Bhutto also spoke of continuous

exploitation by west Pakistan for 25 years of what was at one time East Bengal, now Bangla Desh. Now if our Prime Minister has in the course of one week been able to induce in Mr. Bhutto a spirit of looking after his people and alleviating their sufferings, then she has put him on the path of no return because on that path the tanks and cannons which Pakistan has been so eagerly importing in the last few years are of no avail. When the country embarks on that venture, when they start looking after the interests of the people and raising the standard of living of the people then the question of confrontation is one which is most alien, which is most inappropriate. In that context this Agreement that has come about does help and country has was the world has by and large—welcomed this step and we felt that what is beginning today will later on develop into a state of fruition. It is unfair on the part of Jana Sangh to say that we have abandoned a part of our territory, that no one has this authority and anyone who is doing it is doing an act of treason. Sir, I do not know whether we have abandoned, but certainly we have gained at least fifty square miles of territory which was not in our control at the time. One of the most significant facts that is noticeable in the Agreement as far as Kashmir is concerned is that today we are insisting on the line of actual control, not the cease-fire line which obtained during the last twenty-five years. That is a matter of positive advantage to us. In future, what will happen at the negotiating table, cannot be predicted. But certainly one thing has convinced us, the manner in which the parleys have gone on. If we do not gain anything, certainly we are not going to lose anything. Now the threat which my learned friend on the other side is most disturbed about, and that is the threat of Mr. Bhutto taking this issue to the United Nations if they are not able to solve it here. It is a threat which one should not take very seriously. I mean, that kind of a statement that kind of a step, is inherent in any negotiation over that matter. Even in a no-war pact. What happens? A no-war pact is no guarantee that there shall be no war at all because, after all, it is a matter of continuing relationship. Your relations do not depend on yourselves only. There are other powers, other factors, other people, who won't leave you in peace unless you are extremely careful and so on and so forth.

Therefore, one need not be unduly apprehensive as to what is to happen. The Jan Sangh of course feels a little unhappy in not being consulted before the ratification. But certainly no one expected that there would be a departure from law, that there would be a departure from practice, that there would be a departure from convention. They have themselves said that the Constitution does not envisage that but only said that a new convention should have been laid down this time. What I hope it is not suggested that specifically laid down as the powers of the Executive shall be watered down. We have followed the British practice, and in the British practice this thing is a special preserve of the Executive. Article 73 of the Constitution specifically provides for it. Now, the power of the Executive goes to the extent of the power that Parliament has. It is co-existent with the power of Parliament. Therefore, in the exercise of its powers, whatever has been done by the Executive is in order. I am glad that the legality has not been questioned. And the propriety of it is not questionable because there are no conventions to the contrary. Sir, there is no question of abandonment of any part of the territory of India. If one were to look at the United Nations Charter, this is the agreed position that today the world has actually made a great advance in matter of international law, international law today, as it stands abjures war. This is the very purpose of the United Nations which was laid down in Article I of the United Nations Charter, and it is that we the people of the United Nations are resolved to eradicate war, to eradicate all the evils that were flowing from war and to pull out from territories that were illegally occupied, and soon. That was the very purpose for which the United Nations was created. Sir, Mr Bhai Mahavir quoted Pandit Jawaharlal Nehru. Panditji said : If there is any conflict between the national laws and the international law, the international law shall prevail. Today the position in international law is that Charter of United Nations prevails, and the entire theory which was prevailing in the last fifty years has been abandoned. Now that is established and there is no doubt or dispute as to that position. I may quote a couple of lines on the subject from Oppenheim's International Law, Lauterpacht, Vol I, at page 574, It says :—

“The recognition of title by conquest

was, prior to the Covenant of the League, the Charter of the United Nations, and the General Treaty for the Renunciation of War, the necessary result of the admissibility of the right of war as an instrument both for enforcing the law and for changing existing rights. The right to terminate the existence of another member of the community is a legal anomaly which can be understood only by reference to other anomalies of the legal system in question under general International Law. Conquest is not the result of an illegal act; on the contrary, it is the consequence of the use of force permitted by International Law. The position has, it is submitted, undergone change as the result of the Covenant of the League, the Charter of the United Nations, and, in particular, of the General Treaty for the Renunciation of war. In so far as these instruments prohibit war, they probably render invalid conquest on the part of the State which has resorted to war contrary to its obligations.”

Therefore, the entire premise on which our Jan Sangh friends have been questioning the Agreement is unavailable and unsustainable.

श्री बी. एन. मण्डल (बिहार): उप-सभा-पति जी, जो शिमला समझौता अभी इस सदन के सामने प्रस्तुत किया गया है, मैं समझता हूँ कि जिस ढंग में यह समझौता किया गया है वह देश के लिए अच्छा नहीं हुआ है। इस माने में अच्छा नहीं हुआ है कि इस समझौते से हमने कुछ नहीं पाया है, लेकिन जो एक बारगेनिंग केपैसिटी लड़ाई की जरिये हमने प्राप्त कर ली थी, वह हमने इस समझौते के द्वारा खो दी है। आगे क्या होगा, क्या नहीं होगा, यह कहना मुश्किल है, लेकिन आगे जो भी बारगेनिंग के सम्बन्ध में बातचीत करते, वह स्थिति अब शिमला समझौते की वजह से समाप्त हो गई है और हमने खो दी है। पाकिस्तान ने जो हमारा इलाका अपने कब्जे में ले रखा है, उसके बारे में भी हम कुछ नहीं कर सके, लेकिन इस लड़ाई में पांच हजार किलो मीटर जीनी जमीन हमने वापस दे दी। लड़ाई बन्दी होने के बाद भी

[श्री बी. एन. मन्डल]

पाकिस्तान वालों ने हमारी जो चौकियों पर जबरदस्ती कब्जा कर लिया था, उसके बारे में भी इस शिमला समझौते में कोई चर्चा नहीं हुई। तो इस तरीके से हमने देखा कि हमने सिर्फ दिया है, लिया कुछ भी नहीं है।

सरकार इस समझौते के द्वारा इस तरह का प्रचार कर रही है कि हमने आगे बातचीत के लिए एक अच्छा वातावरण तैयार कर लिया है और आगे जो बातचीत होगी उसके लिए हमने एक भूमिका तैयार कर ली है। इस का नतीजा हमें फलदायक मिलेगा या नहीं यह तो भविष्य बतलायेगा। लेकिन बातचीत करने के सिलसिले में हमारे हाथ में जो एक महत्वपूर्ण पहलू था, उसको हमने खो दिया है। लेकिन अब जो बात करने का सिलसिला है, उस सिलसिले में हमारी आपत्ति है। आज हिन्दुस्तान की क्या समस्या है? आज हिन्दुस्तान की समस्या यह है कि हिन्दुस्तान और पाकिस्तान के बीच प्रशान्ति बनी रहती है, हिन्दू मुसलमानों के बीच एक तरह अशान्ति बनी रहती है, इस तरह की जो अशान्ति है उसको किस तरह से दूर किया जाय और इस अशान्ति का क्या कारण है? इसका कारण वही है जिस कारण को हमारे एक पूर्व वक्ता ने कहा था कि अंग्रेज हिन्दुस्तान में जाने के समय हिन्दुस्तान का बटवारा कर लिये ताकि हिन्दुस्तान और पाकिस्तान दो टुकड़ों में बंट जाय और हमेशा आपस में लड़ते रहें। इसी तरह से आज चाहे वे अंग्रेज हों, निक्सन हों, चीन हो या कोई दूसरा हो, ये सब चाहते हैं कि हिन्दुस्तान जो एक बड़ा देश है, वह या मजबूत देश न बन पाये और इसीलिये ये लोग पाकिस्तान को भड़काते रहते हैं कि वह हिन्दुस्तान के साथ लड़ता ही रहे ताकि हिन्दुस्तान अच्छी तरह से मजबूत न बन सके। इस तरह की कोशिश कुछ लोगों द्वारा होती रहती है।

इसका सोल्यूशन क्या है? इसका सोल्यूशन ही होना चाहिये जो साम्राज्यवादी इस देश के

दो हिस्से करके छोड़ गये थे, वे दो टुकड़ों में न रह कर एक साथ मिल जायें। मिलने का यह मतलब नहीं है कि जबरदस्ती सेना के जरिये उस पर कब्जा कर लिया जाय। इस तरह की बात मैं नहीं कहना चाहता हूँ, बल्कि इस तरह की बात की जानी चाहिये कि हिन्दुस्तान और पाकिस्तान का एक संगठन हो जाय जिसका नाम कंफेडरेशन हो। आप इसका नाम कुछ भी रख सकते हैं, लेकिन दोनों के बीच में इस तरह का समझौता हो और एक कंफेडरेशन कायम हो और उसके अन्दर पाकिस्तान भी चले और हिन्दुस्तान भी चले। और यह काश्मीर को लेकर जो झगड़ा है और जिसके बारे में कहा जाता है कि सैल्फ डिटरमिनेशन का अधिकार उसको चाहिए, उस पर राजी हों तो उसको सैल्फ डिटरमिनेशन का अधिकार हो, इंडिपेंडेंट यूनिट रहना चाहे तो उसे इंडिपेंडेंट यूनिट रख कर उसी कंफेडरेशन के अन्दर लाने का इन्तजाम किया जाय, तो हम समझते हैं कि आपकी जो परिस्थिति है जिस परिस्थिति में भूटान भी कहते हैं कि बंगला देश के साथ हमको कोई न कोई सम्बन्ध रखना चाहिए, हम समझते हैं कि उसके लिए भी अच्छा होगा। बंगला देश, हिन्दुस्तान, पाकिस्तान या और भी स्थान जो जन्म लेने वाला है—जन्म लेगा या नहीं यह तो आगे की बात होगी—उसके लिए एक परिस्थिति पैदा होगी कंफेडरेशन में आने की। पाकिस्तान में बंगला देश का कैसे जन्म हुआ इसको हम लोगों ने देखा। हो सकता है ठीक इस तरह का आन्दोलन यहां भी खड़ा हो। आज भारखंड हैं, नागालैंड में अभी उपद्रव हुआ था। इसी तरह से हिन्दुस्तान का वह इलाका है जो पिछड़ा इलाका है, जिसके वही ग्रीवान्सेज है जो ग्रीवान्सेज बंगला देश के पंजाब की सेन्ट्रल गवर्नमेंट के खिलाफ थे। करीब-करीब इसी तरह के ग्रीवान्सेज आज हिन्दुस्तान के कई राज्यों के दूसरे राज्यों के प्रति या सेन्टर के प्रति है। इसलिए आज की जो समस्या है, जनतंत्र की समस्या है, बराबरी की जो समस्या

है, समाजवाद की जो समस्या है, समता लाने की जो समस्या है उसमें अगर इस तरह का फ्रेमवर्क घड़ा जाय, ये सब यूनिट उसमें समा जाय तो हम समझते हैं कि यह देश के लिए अच्छा होगा। इसलिए मेरा सुझाव है कि मंत्री जी अब बातचीत करेंगे—तो उनके सामने इस तरह का भी सुझाव रखें। मैं नहीं कहता कि वे मानेंगे या नहीं, उनके सामने विचार का मौका तो हो कि इस तरह का एक प्रस्ताव है जिस पर वे विचार करें। उनके सामने जो नई-नई परिस्थिति आ रही है उस परिस्थिति की रोशनी में वे इस बात पर भी विचार करें और विचार करने के सिलसिले में अगर उनके दिमाग में जम जाय और इस बात को मान ले तो जिस तरह से दूसरे देशों के शिकार वे बनते हैं हम समझते हैं कि अगर एक फ्रेमवर्क के अन्दर हम लोग आ जाएंगे, तो इस तरह का शिकार बनने का उनको मौका नहीं होगा।

जो अभी समझौता हुआ है उसके सिलसिले में एक वक्ता कह रहे थे कि विश्वासघात किया गया है। अगर मुझे याद है और शायद ऐसा कहा गया था उम लड़ाई के जमाने में कि जो हमारी अब की लड़ाई होगी वह हिन्दुस्तान की भूमि पर नहीं होगी, वह लड़ाई पाकिस्तान की भूमि पर होगी और जो जमीन हम जीतेगे उस जमीन हम नहीं लौटाएंगे। ऐसी बात कही गई है या नहीं कही गई है, इसको मंत्री जी जानें। अगर मंत्री जी ने ऐसा कहा हो और उसके बाद अगर जमीन लौटा दी गई हो तो अगर इसको विश्वासघात कहा जाय तो क्या यह झूठ बात होगी? यह झूठ बात नहीं होगी, यह सच बात होगी। आज शान्ति की बहुत जरूरत है। जैसा शुरू में कहा गया था, एक साथ पैकेज डील की तरह सारे मैटर्स को डील करेंगे, सब मामलों के बारे में बातचीत कर लेते, फैसला भी कर लेते लेकिन इस बात को रखते कि सब बात खत्म हो जाने के बाद ही अन्तिम रूप दिया जायगा। अगर इस ढंग की बात की जाती तो हम

समझते हैं कि यह हिन्दुस्तान के लिए अच्छा होता। लेकिन इस तरह की बात नहीं की गई। इसलिए मेरी प्रार्थना है कि सरकार जो सजेशन हमने दिया है उस पर विचार करें और उस मुलाकात में जो आगे होगी पाकिस्तान सरकार के सामने इस प्रस्ताव को रखें।

श्री सांताराम केसरी (बिहार) : उपाध्यक्ष जी, शिमला सम्मेलन का स्वागत करते हुए मैं डा० भाई महावीर की इस बात को सच मानता हूँ जो उन्होंने कही कि सत्य और अहिंसा का जो प्रचार करते हैं उनको सूली पर चढ़ा दिया जाता है। यह बात भी सच है कि गांधी जी उसी के प्रतीक हैं। गांधी जी की मृत्यु या गांधी जी की हत्या इसी उद्देश्य के कारण हुई। इस लिये जो उन्होंने बात कही वह सच है। तो जिस उद्देश्य के लिए गांधी जी मरे उसी के प्रतीक स्वरूप शिमला समझौता हुआ।

मैं एक बात कह देना चाहता हूँ कि अंतर्राष्ट्रीय जगत में शिमला सम्मेलन का क्या असर पड़ा। आप जानते हैं कि जब हमारी जीत हुई तो हमारे पड़ोसी छोटे-छोटे राज्यों में एक शक्तिशाली राष्ट्र ने यह प्रचार किया कि आज हिन्दुस्तान का उद्देश्य साम्राज्य विस्तार का है ताकि उनके अन्दर हमारे प्रति एक भय की भावना पैदा हो। इस शिमला सम्मेलन से उनके अन्दर एक विश्वास पैदा हुआ कि अपनी कीमत पर भी हम शांति की स्थापना करना चाहते हैं और हमारे अन्दर साम्राज्य विस्तार की कोई भावना नहीं है।

दूसरी बात। आप को याद होगा कि संयुक्त राष्ट्र सभ में एक प्रस्ताव पारित हुआ था जिस समय हम युद्ध से गुजर रहे थे और वह प्रस्ताव हमारे अनुकूल नहीं था। आज वही राष्ट्र हमारी प्रशंसा करते हैं। जब वे हमारा मकसद जान गये कि हमारा मकसद शांति और अहिंसा है, साम्राज्य का विस्तार नहीं है, तो उन्हीं राष्ट्रों

[श्री सीताराम केसरी]

के जो नेता हैं उन्होंने शिमला सम्मेलन की प्रशंसा की। इतना ही नहीं बल्कि दुनिया के सभी राष्ट्रों के अखबारों ने प्रायः शिमला सम्मेलन का जबरदस्त समर्थन किया।

हमें बड़े दुख के साथ कहना पड़ता है कि जब एक तरफ युद्धविराम की घोषणा की हमारी प्रधान मंत्री ने, हमारी राष्ट्र नायक ने तो उसकी प्रशंसा करने के बजाय हमारे विरोधियों ने प्रचार किया कि दूसरे राष्ट्र के आदेश पर हमारे राष्ट्र ने एकतरफ युद्धविराम की घोषणा की। अमरीका के निक्सन यह मानने को तैयार नहीं थे कि हमसे कोई महान आदमी इस संसार में है। लेकिन हमारी प्रधान मंत्री ने यह महानता, यह बड़प्पन दिखलाया कि हम जीत कर भी भूमि वापस कर सकते हैं। तो हमारे जन संघी भाइयों ने यह आवाज सारे देश में उठाई थी कि इन्दिरा जी ने, प्रधान मंत्री जी, ने युद्धविराम की जो घोषणा की है वह स्वतः नहीं की है बल्कि किसी दूसरे राष्ट्र के आदेश पर की है। हमारी प्रधान मंत्री ने इस महान देश की महानता दिखलाई, जो बड़प्पन दिखलाया, उसका समर्थन करने के बजाय, उसकी तारीफ करने के बजाय, उसके लिये बधाई देने के बजाय, वे इस तरह की बातों का प्रचार करने लगे।

मैं एक बात यह बतला दूँ कि हमारे जन संघी भाई ने भुट्टो की बड़ी चर्चा की और उनके सारे वक्तव्यों और भाषणों को यहां पढ़ कर सुनाया। यह मैं कहता हूँ कि उनका उद्देश्य बही था यद्यपि मैं नहीं मानता हूँ कि बंगला देश में जो हुआ उसके लिए भुट्टो साहब ने यहना खा को उत्तेजित किया। उनका ऐसा विश्वास नहीं था कि इस देश की जीत होगी। वे यह नहीं समझते थे कि अमरीका ने जो साफिस्टीकेटड बीपेन्स पाकिस्तान को दिये हैं उनके होते हुये हमारे राष्ट्र की जीत होगी...

(Interruptions)

DR. BHAI MAHAVIR : Are we here to hear such nonsense ?

श्री सीताराम केसरी : उनकी यही भावना थी . . .

(Interruptions)

डा० भाई महावीर : यही कांग्रेस पार्टी के नपोकसमैन है। इनको शर्म आनी चाहिये।

(Interruptions)

आप जानते हैं कि सभी दलों के लोग, राष्ट्र के सारे लोग और दुनिया के लोग हमारा समर्थन कर रहे थे तो हमारे बंधु उस का विरोध कर रहे थे और वे जब सारी लड़ाई हार चुके तो युद्ध विराम संधि का समर्थन हमको 1972 के चुनाव में जनता ने दिया और हमको उस के साथ ही जनता ने शक्ति दी, और जनता ने संकशन दिया कि आप ने जो युद्ध विराम संधि की है उस के पीछे हम हैं। मगर इन बंधुओं ने उस को नहीं माना। इन बंधुओं के दिमाग में तो खुरापात थी, इनकी तो सत्ता की तरफ नजर थी और यही वजह है कि अब ये लोग सीमा पर सत्याग्रह करने गये हैं। बड़े भारी सत्याग्रही हैं। पहले सत्याग्रह का अर्थ तो समझो उनको तो सत्याग्रह से मतलब नहीं है। इसके बाद दूसरी बात सुनिये। अभी जो जलूस निकला उसमें चिन्ह क्या था, आप जानते हैं? उस में चुनाव चिन्ह को ही अपनाया गया। बाह भाई बाह। जलूस में कभी आप ने किसी को चुनाव चिन्ह निकालते हुए देखा है?

DR. BHAI MAHAVIR : Is he here to utter such nonsense ?

श्री सीताराम केसरी : एक बात मैं और कह दूँ। हमारे दोस्त कहते हैं, लेकिन कुर्बानी उन्होंने क्या की? आजादी की लड़ाई का इतिहास उनके पीछे नहीं है। उन के पीछे हैं अंग्रेजों के समर्थन का इतिहास और उसी भावना के वे प्रतीक हैं।

डा० भाई महावीर : बकवास है, बकवास ।

श्री सीताराम केसरी : भाई महावीर, मेरी बात सुनो । एक ओर आप कहते हैं बहादुरी की बात, साहस की बात होनी चाहिए । सुनिये । साहस की बात मैं आप को बताता हूँ । एक ओर क्यूबा में जो हुआ उस का मैं समर्थन करता हूँ, लेकिन वहाँ अमरीका की धमकी पर उन्होंने अपना बेड़ा वापस बुला लिया और यहाँ अमरीका का सातवा बेड़ा बंगाल की खाड़ी में प्रवेश कर रहा था और उसी समय हमारी मंत्री यहाँ भाषण कर रही थी । यह बहादुरी है । उन्होंने उस की परवाह नहीं की और इस से जाहिर है कि वे सच्ची देशभक्त हैं । मैं समझता हूँ कि आपको इस बहादुरी की तारीफ करनी चाहिए, लेकिन उन के अंदर यह भावना नहीं है । आडवाणी साहब, आप ने जो उस दिन कहा कि सरकार ने बिट्रैल किया है, आप ने ही इस सदन में कहा था, मैं उस बात को दोहराना नहीं चाहता, लेकिन बिट्रैल के क्या अर्थ होते हैं क्या आप जानते हैं ? हमारी प्रधान मंत्री ने नहीं, कांग्रेस ने नहीं, लेकिन आप ने ज़रूर हमेशा देश के साथ बिट्रैल किया है । उपाध्यक्ष महोदय, इन शब्दों के साथ मैं चाहूँगा कि इस तरह की जो प्रतिक्रियावादी शक्तियाँ काम कर रही हैं उन को रोका जाय । 1965 में जब भारत पाकिस्तान युद्ध हुआ उस समय भी इसी प्रकार यह लोग लगे हुए थे । सेना चली गयी थी सीमा पर और इसी दिल्ली में सारी ट्रैफिक ड्यूटी पर आर. एस. एस. के लोग लगे हुए थे...

एक माननीय सदस्य : किस ने लगाये थे ?

श्री सीताराम केसरी : वे चाहते हैं कि लडाई हो जाय और लडाई हो जाय तो अपनी तैयारी करें । यह उन की नीति है । उन को कोई और नीति नहीं है, यही एक भावना है । लेकिन आज देशवासी जाग गये हैं और वह जानते हैं कि

हमें किस तरह से लाभ हो सकता है । मैं कहना चाहता हूँ कि उन की आवाज अमरीकन स्पोक्स-मैन की आवाज है । जो उन की आवाज है उसी को यह दोहराते हैं, कहते हैं कि दूसरे देशों के कहने से हमने युद्ध विराम किया और इस के साथ ही एक नयी बात और निकाल ली उस के बीच से कि दो बजे से 5 बजे के बीच शिमला में कोई सदेश आया और उस के बाद उन्होंने संधि कर ली । अरे भाई, आज का हमारा हिन्दुस्तान, आज हमारा जनतंत्र, आज यहाँ की सरकार इतनी सबल और भजबूत है कि आप को उस की तारीफ करनी चाहिए ।

एक चीज और, आप को याद होगा कि जब प. नेहरू के दिमाग में आया कि यहाँ इस्त्रास्र बनाने की फैक्ट्री लगनी चाहिए और वह लगायी गयी तो उन्होंने कहा कि उन में तो काफी प्रोक्यूलोटर बनते हैं । उन्होंने इस बात को नहीं माना कि उस में इस्त्रास्र बनते हैं, लेकिन उस में बने लडाई के सामान की बदौलत ही हमारी इतनी बड़ी जीत हुई है । इसलिए उपाध्यक्ष महोदय, इन शब्दों के साथ मैं अपना स्थान ग्रहण करता हूँ ।

THE PRIME MINISTER (SHRIMATI INDIRA GANDHI) : Mr. Deputy Chairman, Sir, it is a little difficult to speak here on this occasion because almost the entire House is with us on this matter, where-as . . .

DR. BHAI MAHAVIR : Why is it difficult ?

SHRIMATI INDIRA GANDHI : It is difficult because all points have been made and all the questions you have asked have been answered not once but many times over. The member who himself started off by saying that we do not listen to the voice of the people, that it is only the Congress which is trying to promote a particular point of view, ended their speech—I think one of the hon. Members from this side said that when a speech is long, sometimes there is bound to be contradiction—on

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the note that they stand alone and isolated. It did not begin on that note. It began on a very brave note as if the whole world was behind them and the Congress alone was trying to propagate another point of view. But he ended on this other note as was only natural.

DR. BHAI MAHAVIR : In this House we are alone, we know that.

SHRIMATI INDIRA GANDHI : Sir, it is the same Hon'ble Member who again and again advises us to listen with patience, to be quiet, has not the courtesy or the decency to listen to a single speech patiently. Not one criticism can be made against them. They can use the most abusive words, they can use violence, they can make the sort of vulgar and ridiculous demonstration as they did in the other House. That is all right for them. But if anyone from here says anything about them, they bob up, not one but six or seven of them. Yesterday I noted that when their leader was speaking, it was not enough that he was speaking, the rest of them had to stand up and not allowed even his voice to be heard. This is their idea of decency, this is their idea of decorum. It is not our idea. This is another reason why I say it is difficult to speak. Then he spoke about Sardar Sahab—I think he was trying to have a dig at him—that he cannot understand what he says. Now, our Foreign Minister has travelled to the far corners of the world. Nowhere has there been any difficulty amongst high people, Heads of State, amongst low people, ordinary people, in understanding him. So it there was something wrong in the manner of his presenting our case, surely some other people would have complained "We cannot understand him". But nowhere have we heard this before. Only this one party has objected that they do not understand him. Does the fault lie with Sardar Sahab or with those who do not understand him? Sir, here the question is one of a basic difference. It is not concerned with words or events, it is not even a question merely of the Simla Agreement. It is a question, as I said the other day, of the manner in which this party has been born, the circumstances in which it was born. The Hon'ble Member made a cheap jibe at the birth of my party. No matter what the Jan Sangh says the Congress was born more than 80 years ago. The policies which the Congress

is following today as you can see from the resolutions of the Congress—not from what I say or anybody on this side might say; are the policies laid down by our great leaders. To make such a cheap jibe only demonstrates the lack of any other argument. Sir, I have not got up to answer arguments. As I have said, this is a matter of basic difference. My hon friend opposite also spoke about temper. He rightly remarked that those who have no arguments show anger. Now, Sir, it is true that when I spoke the other day, I spoke firmly and strongly but I did not speak with temper in my voice or in my words. I should like this House and the public to judge whether my speech was a show of temper or the action of the hon. Member's party did was a show of temper. It is not my opinion against their opinion. The whole Parliament was witness. The records are witness to what happened. It may be that the member insists they are right and all others are wrong. If that be so it would mean that not only is the Congress wrong, not only are all the other political parties of this country wrong, but all the countries of the world are also wrong. This is an issue on which the entire world seems to be united. There has been tremendous enthusiasm for this Agreement and for the new spirit that they see awakened on our sub continent. Where is the enthusiasm less? I wonder if my honourable friends have taken the trouble to examine this. Nobody has been quiet. But whose appreciation or enthusiasm has been muted? It is those people whose enthusiasm has been muted whenever there has been any question of the interest or strength of India—I would even say that it is those people who have been actively against our interest. Those are the voices in the world today which are not so strong and enthusiastic in favour of this Agreement. Would it be wrong if we say, as some honourable friends have said, that this party is echoing those outside voices? I have no hesitation in repeating that what the Jan Sangh wants in India is what the military regime in Pakistan had wanted in Pakistan. History has shown that this policy has failed. *(Interruption)* It is no use shaking your head. This is the picture, a picture of confrontation. When I spoke of toys I did not mean that land was a toy *(Interruption)*. I was speaking about the conception or the attitude of demanding a tooth for a tooth

and an eye for an eye That is not a mature attitude nor an attitude which in today's world can be advantageous to our country Neither is the spirit of bargaining, which another honourable friend has advised We are not out to bargain We are a mature people who have only one aim before us and that is how to make our country strong And by strength we do not mean merely military strength I think that that is a small part of a country's strength When we talk of strength, we mean the strength of the people And that can come only when the people have understanding, when they have maturity and when the affairs of the nation are dealt with a certain amount of sagacity and foresight. Nobody has made the claim for the Simla Agreement that all problems are solved In fact I would say that this is simply not possible at any time anywhere in the world. Problems will always remain Our endeavour is to take each step so as to be in a better position to face the new problems that must arise. With the Simla Agreement India is in a better position to face the future. In fact I would say that the Simla Agreement is in pursuance of the domestic and the international policy which India has followed all these years Since independence and even before independence this is what the Congress Party has believed in. It believed even then in friendship with all countries. It believed even then in peace in the world and a co-operative endeavour to end the poverty and the misery of the underprivileged of the world At a time when we had no strength in our hands or in our voices, we had no wealth, no armaments or anything, even at that time, we stood solidly by all those who were equally oppressed. We did not make the excuse that we had our own struggle and never could help the people of Africa, that we could not pay attention to what was happening in Asia On the contrary we stated this even though we were poor, we were weak, but whatever we had, the strength of our voice, our moral support or when ever we can give more than moral support, that would be at the disposal of all those who were in similar situations Whatever our relations with China today, India was the first and the only country which sent a medical team to China at that time And in what conditions did this team live? I saw some of the members

when they left and I saw them on their return. I could not recognise them when they came back They looked more like skeletons This was because of lack of food and lack of sleep They could have refused to stay in such conditions and said, "We cannot work" But they had gone to do a job and they did it This was the spirit. This was the spirit of our policies and it is in this spirit that we act today also.

Shri S D Misra saw a change in our foreign policy because I mentioned Asia and said it was time for Asian countries to cooperate more closely May be I shall disappoint him But there is no change in our policy. Why should we change when the rest of the world is coming round to our way of thinking? If it is necessary and if we find that this policy no longer serves the interests of India, then we shall not stick to it We shall be the first to change. But what do we see today? We see that the countries which had opposed us and which had abused us are one by one coming round to our policy. I think it was hon. Member Shri V. P. Dutt who spoke of this. They may not use the word 'non-alignment.' But what does 'non alignment' mean? It means that regardless of the political system of a country and regardless of the attitude of a country, you can build bridges with that country Between no two countries was there greater enmity than the United States of America and China In fact if there was a certain amount of tension between us and the United States it was on this ground, namely, our friendship with China and the Soviet Union What do we find now? We are left behind and they are more 'bhai-bhai' than anybody else The best food is Chinese food and the best medical treatment is Acupuncture. In the United States and many parts of Europe many think that the best is Chinese soon after, a journey to the Soviet Union was arranged and there were some more embassies and hand shakes What for? If any vindication or proof is necessary—I do not think it is necessary—this shows ours is the right policy On one point I agree with Dr Bhai Mahavir and I have said in my public meetings, not only now but from the beginning that I is and for certain things. I am very happy if he people are with me If they are not, yet I consider my stand to

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be the right one, I must stand alone. We stand for particular policies. Today a great change is taking place all over the world. More and more people are accepting certain realities. May be the U S Administration in spite of its new found friendship with some countries, is not changing. But we cannot ignore the fact that the young people of America are giving deeper thought to these matters. So the world is changing. We have been told by some Hon'ble members that there have been other agreements with Pakistan, what has happened to them? And in spite of previous talks about peace have there not been wars? There have been wars. We cannot deny this. But we cannot deny also that today the situation in India has changed. Today there is more political cohesion and greater unity amongst the people. In every way the country is stronger and I think that our people have better understanding of the problems of the country and are willing to sacrifice, to fight and to face the challenges of the future. There is a great change in Pakistan. It may be that the Pakistanis did not want that change. But the change is there regardless of whether they desire it or not. They cannot ignore that change. When we look at the situation, we cannot also ignore that this change has taken place. Even President Bhutto himself has admitted that he was the father of the policy of confrontation with India. He himself now acknowledges that the situation has changed today and that the need of the times is peace. So things have changed. Some opposite members have taken me and Sardar Saheb, to task because we have not categorically asserted that we know that there will be no war, that we know that President Bhutto is a different man. I don't do so. I am not used to making such categorical statements. I can only describe our assessment of the situation and I can also say with some assurance that so far I have not often been wrong in my assessment. So, what I say is my assessment of the situation.

Some of the questions which are being put today, "How do you know that this will not happen?", "Peace will not be peace", etc., those same questions were posed at the time of Bangla Desh also. It was said very categorically, "You say that the refugees will return. But we know that they will not return and we know that you will not be able to send them back." They

do not think that Bangla Desh could be freed. But, all those events did happen, this is obvious to all. A hundred and one events are taking place every day which are equally true, equally relevant, which are not so tangible to the opposition or even to some of us. Nevertheless, these things are happening. There are vast forces at work in India in Pakistan and all over the world. The question before us is this: Do we encourage these good forces or do we put a spoke in its wheel? To my mind, this is a straightforward question before us. It is possible that one makes the best effort possible and yet one fails. But is that reason to say that we should not make that effort? So, we have made an effort and I believe that we have succeeded, in so far as we can, in the first step. I do not know whether at the second step we can go very much further. But I know that a beginning has been made from which it will be difficult for anybody to go back. If something untoward does happen, as I have said in the other House and at other places, if there is war, well, we are ready. Then we cannot say, "No, We have accepted peace and therefore, we are not ready for this attack". But, we will do everything possible to see that peace succeeds and succeeds with honour. Why? Because—I have said this many times—peace is an ideal and we do believe in ideals. But peace is also a necessity.

I have always believed and I do believe even today that India's major enemy is not Pakistan, it is not even the big powers which are interested in their spheres of influence. India's greatest enemy is the economic backwardness of the country. It is the poverty of the country. If we did not have that heavy handicap, we could have done many things in the world. But, we have the handicap and nobody is going to help us to overcome it except we ourselves and we cannot overcome it unless we have peace. Therefore, peace is essential for our country and I believe that it is essential for Pakistan. I also believe that tension between the three countries of the sub-continent, will always be a weakening factor and one which may be exploited by outside forces. So, the second question before us is this: Do we want interference by outside forces or do we want to settle our affairs ourselves however difficult they may

be ? We have believed that we must settle differences amongst ourselves however complex they may be and a beginning in that direction has also been made

I am sorry, I have diverted from my point about Asian unity. I have spoken about Asia. I should like the countries of Asia to be united. But unity for what purpose ? You cannot have unity by giving up your ideals, values or your basic principles. In Asia, we follow a certain policy. Why ? Not because we do not like America and so if America does something we must be perverse and criticize America. Not at all. Personally I am not against America or any other country. But, we do disapprove of what the U.S. Administration is doing in Vietnam. We believe that this U.S. action is not only against the interests of the people of Vietnam, it is against the interests of every country in Asia and every country in the world. But, there are countries in Asia which are supporting this American policy. What can we do ? We want to be friends with them. But we can't have that close friendship with them as we have with countries which agree with our policy.

Just a few months back, hon. Members opposite were very anxious that we should be friends with Taiwan. I do not know whether their enthusiasm is as great today. The enthusiasm of the Western countries in this matter is not only waning, it has completely collapsed. The situation is developing as we had always thought it would one day. We could not prophesy that it would happen in 1969, 1971 or 1972. But we knew that it would happen.

We want the countries of Asia to stand together not against Africa or Latin America. We want them also. But when we can look after our own home first, only then can we be effective in a larger circle. From that point of view, what happens in Asia is our more immediate concern. But we are equally interested in the peaceful development and progress of the underprivileged and developing countries of Africa and Latin America. But we can play a greater role in Asia and therefore, we must at least try to solve the quarrels and tensions of Asia as soon as we can.

Hon. Members, I hope, will forgive me if I digress a little. If you look back into

history, you will see that every country started with small units, gradually increasing. India is one country. We know that each of our States has some problems with neighbouring States. Now, they can quarrel and they can go to war as did the old *rajyas* on all kinds of small and big matters or they can settle these matters peacefully. One State may suffer a little or another may suffer a little. But in the process we evolve something by which we can all become much stronger. And it is this that makes a nation. Fortunately, in our country we have that spirit in the States now. A number of long standing problems of the States are being gradually solved, because each realises that by not coming to an agreement both suffer equally and the whole country suffers.

So we have to look at the problem of friendship with Pakistan from that angle— not can we get something from Pakistan ? Can Pakistan take something from us ? But, 'can we create an atmosphere and a situation in which we can together face the far greater outside dangers that threaten us ?

The other point raised was: How was it that at first no agreement could be reached and then suddenly at the end there was agreement ? Now, nothing happens so suddenly. There is preparation for whatever happens. You can say that war was won on a particular day. But we did not arrive at it suddenly, we were working towards that end all the time. The battle is on before the war, the preparation is there. As Kesriji said, factories are working, people are working and training is going on. All that goes into the ultimate winning of the war. When you are having talks, you proceed gradually. Immediate decision does not come because naturally during the talks you make certain points and so on. But the preparation is here all the time. With every meeting you are moving. The agreement was signed at a certain time. Well, that was because of circumstances. A dinner had been arranged. It was a formal dinner, it could not be postponed. A Press Conference had been arranged, that could not be postponed. Obviously, the final thing had to wait until after all this was over.

If we could have said, "Let us postpone those and finish the business" well, that business could perhaps have been completed by six

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O'clock It need not have waited for so long These are all small points.

It is not my intention to compare this agreement with the Tashkent one because as I have said, the situation, the circumstances in both the countries, the attitudes of the people all are entirely different But since my hon'ble friend opposite has quoted President Bhutto at such length I shall also refer to a remark President Bhutto has said that he had not accepted the Tashkent Agreement. He did not accept it while he was in Tashkent. He went back and told his country he had not accepted it and, according to him, his country also did not accept Well, whether it was so or not I do not know He has said this But the Simla Agreement he has accepted and other parties in Pakistan have accepted it Whether we like him or not, he has also got elected with a fairly big majority His party has the majority there but even in places where he has not, other parties have accepted the agreement President Bhutto is trying, and I think trying with success, to get the people of Pakistan to accept it just as there are some voices in India against it, there are voices in Pakistan against it So, this is also a big difference between the two agreements

Now I do not want to go into the business of the United Nations Quite honestly I am not bothered whether they go to the United Nations or whether they do not go to the United Nations I am sure of ourselves, I am sure of whatever delegation we send there If Pakistan goes to the United Nations we can meet them there I have no fear of their getting away with anything at the United Nations If they want to go to war—as I said, we do not want to go to war—we should like to do everything possible not to have war But if they attack us we are prepared for that also I am not afraid of that I have full confidence in our armies, I have full confidence in our people These are all false bogeys or red herrings to divert us from our real path

Mention was made of opportunity. This was the very first opportunity we have had of making a new beginning towards peace and we have grasped that opportunity If we had let this opportunity pass, I do

not think it would have come our way again at least in this generation So we have not let any opportunity go.

In his brilliant and lucid speech, the hon Member, Shri V P Dutt, said that we respond to situations Of courses we respond to situations but I hope he will concede that we also take some initiatives, we also make moves which will create new situations We do not always wait for a situation to develop From the beginning we have taken a number of steps and we do not intend to let the initiative out of our hands As in this country so abroad also our tactics have not been the tactics of confrontation even with the Jana Sangh much as they would like to provoke us Occasionally some of our Members do get provoked but I do not think that this gains us anything and I have never supported this sort of thing My way of handling situations, is entirely different here or anywhere It is to work for a situation which is conducive to certain thinking action Now, the Jana Sangh was very vocal against socialism we do not hear that now The Jana Sangh was very vocal against non-alignment, we do not hear that now And not only the Jan Sangh You will not hear such remarks from almost anybody in public now A situation is created, public opinion is created in which such remarks are not acceptable It is in our hands to create a situation where on a larger screen, even in international affairs, certain things do not happen I cannot prophesy that all will go as we want but we do have a certain strength, a certain initiative in our hands and if we can use it to good purpose that is a much better way than to aggravate the atmosphere of confrontation Now if I say something about the Jana Sangh they may be very upset but one thing has to be said it is too important to let pass, otherwise I do not like provoking anyone Shri Pranab Kumar Mukherjee drew our attention to a valid point During the Bangla Desh struggle the Jan Sangh were not really concerned with the people of Bangla Desh, they were interested in how they could exploit the situation for party ends I am sorry that they have dealt with the present situation of some of the refugees who have come over to Rajasthan and Gujarat in the same manner Some words have been uttered, as

they were in the other House, which can bring great harm to those people. They do not affect me in any way; they do not affect our party in any way; but they can cause trouble for the people living there. This is why I asked the Hon'ble Member not to utter them.

I was also sorry regarding and the manner in which Shri Misra spoke about Kashmir. Here also it is not a question of what I say about the people of Kashmir or what the hon Member who actually comes from the valley says. What is the test of a people's loyalty? The test is that every time there was an invasion of Kashmir, the people of Kashmir stood solidly by India. Does this not show that they are with us? To doubt their loyalty and sincerely is not good—I am not saying that the hon Member is deliberately echoing the remarks of some foreigners, some enemies of India. For an Indian to say such thing does not help the situation in any way. I should like to express my deep appreciation of the past that in spite of religion being evoked—and we know that when religion is injected into any arguments people sometimes tend to lose their reasonality—the people of Kashmir have been solidly with us in every crisis and I have no doubt they will remain so. I am not afraid of any speeches. The actions which the hon member considers necessary are such as we might take if we were afraid we are not afraid. We know we can face the situation. We think that this is a better way to handle people rather than being frightened or giving the impression—that we are frightened.

There was some talk about our relations with our smaller neighbours. We want to have good relations with all our neighbours and we have done everything possible to convince them of our friendship for them, of our concern for them and of our desire to help them but whether the sort of jingoistic and chauvinistic speeches which are sometimes made in the House or outside, it is for the hon Members themselves to consider will inspire confidence in these small countries. If the feeling is created that we are out to get what we can in a chauvinistic manner, will these countries be confident of these safety? I am just posing the question.

I think it was Shri D. P. Singh who said that I have changed President Bhutto. I make no such tall claim. Events have changed him and it is in our hands to see and guide events in such manner that he remains changed, that he remains convinced that peace & friendship are in his interest, and in the interest of Pakistan.

So, Sir, the basic issue before us is, what sort of world do we want? Are we concerned with the world or are we concerned only with India and do we think that India can develop isolated from the world? The Jana Sangh, although born much later than our party, lives somewhat in the past and, if I may say so, they look further back, into the more remote past. We live in the present and we look to the future. It is only by looking towards the future and endeavoring to shape the future that the present can be made livable. And to make it livable we must have peace. We must have a constructive and creative attitude. The Simla Agreement, with all its faults, is a good step. I know that would get a wry face from Mr. Bhai Mahavir.

DR BHAI MAHAVIR : No, but there are the faults.

SHRIMATI INDIRA GANDHI : Everything has faults. Nothing is perfect. It is not only the poet who has said this. In the world nothing is perfect. There is no rose without a thorn. There is no solution which does not create problems. This is part of life itself. There is no life without death. There is no point in using the word 'perfect'. Nothing in life is perfect unless you are willing to settle for something much less and call it 'perfect', which I am not willing to do. My sights are rather higher. So, we are looking towards the future and we believe that the Simla Agreement has taken us a step in the right direction. We are in a position to go further along that road. So far as we can make out—I have also read Mr. Bhutto's speech very carefully—on the whole the speech does not give the same impression that some isolated excerpts had conveyed even to me when I first read the reports in our news papers. So, it seems that President Bhutto also believes that his future and the future

[Shrimati Indira Gandhi]

of Pakistan lies in peaceful neighbourly relations. This is all we can hope for. We cannot hope to convert him that peace is an ideal situation, or that he must be friends with India for the sake of friendship. That is far too much to hope and we are not hoping. We are only hoping that conditions will be such that he will realise—as he does seem to do—that this is the only way for them. Actually, even between the debate in the Lok Sabha and the debate in the Rajya Sabha I think there has been some slight change in the Jana Sangh attitude. (*Interruptions*) tactics? Even their substitute motion is an indication. So, I sincerely hope that since they have come this little way they will go a little further and will join the whole country and prove that they also want peace, cooperation and friendship with all our neighbours so that together we can work towards a better world.

DR. BHAI MAHAVIR : Sir, one small clarification. With your permission I wish to seek one small clarification. Permit me to seek one small clarification from the Prime Minister.

MR. DEPUTY CHAIRMAN : No.

DR. BHAI MAHAVIR : Sir, please bear with me for just five seconds. I wish to seek just one small clarification if the Prime Minister would be kind enough to give it. Has there been any change in the Government's stand on the question of Pakistan-occupied Kashmir, on the need for its liberation or our constitutional rights on that?

SHRIMATI INDIRA GANDHI : Sir, since Mr. Bhai Mahavir reads press conferences and speeches with great attention, I would advise him to read the whole of the press conference. I was asked this question and I gave a firm answer.

MR. DEPUTY CHAIRMAN : The House stands adjourned till 11 A. M. tomorrow.

The House then adjourned at fifteen minutes past six of the clock till eleven of the clock on Thursday, the 3rd of August, 1972.