

[Shri Bhupesh Gupta.]

Portfolio reports. (*Interruptions*). We have been named. We are told by Mr. Chandra Shekhar, a member of the Congress Executive, that the Minister without Portfolio has to submit a report to the Prime Minister about Bhupesh Gupta and Mr. Lokanath Misra. It is a strange thing. Will the Prime Minister kindly lay on the Table of the House the report he has submitted?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI M. C. CHAGLA): Let us pass on to the next item.

MR. CHAIRMAN: We go to the next item.

SHRI BHUPESH GUPTA: What about the discussion?

MR. CHAIRMAN: You can make a motion for it.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

THE CHINESE GOVERNMENT'S DECISION
NOT TO ALLOW AN INDIAN DIPLOMAT,
SHRI K. RAGHUNATH, TO LEAVE PEKING
FOR INDIA

SHRI M. P. BHARGAVA (Uttar Pradesh): Sir, I beg to call the attention of the Minister of External Affairs to the Chinese Government's decision not to allow an Indian Diplomat, Shri K. Raghunath, to leave Peking for India.

श्री राजनारायण (उत्तर प्रदेश) :
श्रीमन्, मेरा हिन्दी में जो कालिंग अटेंशन
था उसका अनुवाद गलत है। हमारा
नाम जोड़ दिया गया है श्री एम० पी० भार्गव,
श्री मुल्क गोविन्द रेड्डी और श्री राजनारायण।
हमारा कालिंग अटेंशन दूसरा था और
इसका अनुवाद गलत है।

THE MINISTER OF EXTERNAL AFFAIRS (SHRI M. C. CHAGLA): Mr. Chairman, the action of the Chinese Government in withdrawing recognition of the diplomatic status of Shri K. Raghunath, Second Secretary in our Embassy in Peking, and declaring that he will not be allowed to leave China before "the Chinese judicial organs take sanctions against his crimes" is a flagrant violation of all known principles of international law and the norms of civilised behaviour among nations. The first of alleged spying activities of Shri Raghunath prepared by the Chinese Government is a tissue of lies hastily put together to defend themselves against the very reasonable and moderately worded protest note which has been sent by our Embassy to the Chinese Foreign Office on June 5th that is the day after the incident in which Shri Raghunath and Shri Vijay were unreasonably detained in a ruined temple in the Western Hills of Peking.

The details of this incident as conveyed to us by our Embassy in Peking are as follows:

At 1.30 P.M. on June 4th Shri Raghunath and Shri Vijay, Third Secretary in the Embassy, were driving towards the Western Hills area in Peking which is a well-known beauty spot and which is open to foreigners. On their way there they stopped for a moment near a ruined temple and proceeded to take photographs of the temple. Then they were surrounded by some people who accused Raghunath of taking photographs of a military installation which was allegedly situated nearby. In spite of Raghunath's protestation that he was merely photographing the ruined temple, the Chinese crowd forced the two diplomats to go to the nearby building where after some delay the officer of the Security Bureau arrived under whose orders the camera and films were forcibly taken away and the absurd allegation immediately made that the development of the

film had shown that Shri Raghunath had photographed prohibited objects. Curiously enough, however, these so-called photographs were not shown to either of the diplomats. The Western Hills are not out of bounds to foreigners. It is an area covered over with Buddhist temples and has been one of the most popular tourist resorts within the reach of Peking. For the last 18 years diplomats of all nationalities have been allowed to go along the way and visit these spots and photograph the old temples. There is nothing unusual or extraordinary in the actions of Shri Raghunath and Shri Vijay.

In spite of repeated requests the diplomats were allowed to telephone to the Embassy only at 5 p.m. when the Embassy officials tried to get in touch with the Foreign Office and the Security Bureau. They were told that nothing could be done until the next day. Two officers of the Embassy reached the spot at about 9 p.m. and were not permitted to go into the building or see the diplomats and were asked to return since it was claimed to be a prohibited area, even though it was on the highway. Finally the diplomats were allowed to return at 9-30 p.m. after a detention for a period of 8½ hours. The Embassy made further efforts the same night to protest to the Protocol Department of the Foreign Office but could not get an appointment in spite of best efforts.

A note giving the details of this incident and protesting against the unlawful detention of both the diplomats, namely, Shri Raghunath and Shri Vijay, was sent to the Foreign Office the next day but was returned three hours later. It may be noted that Shri Vijay had not been concerned in the photographic incident. The note had also specially protested against the unhelpfulness of the Foreign Office in the matter.

This latest development by which the Chinese Foreign Office has gone to the unprecedented action of accusing Shri Raghunath of spying seems to in-

dicate that the Chinese are not merely anxious to utilise this incident for propaganda purposes but have a guilty conscience and want to manufacture some excuses to still further damage relations with India.

The accusations against Shri Raghunath are trivial to the point of absurdity. The accusation against him of committing espionage is based on the flimsiest grounds, namely, that he has been trying to collect political and military intelligence by attending gatherings of Red Guards etc. These are the usual Chinese lies to concoct a case against a diplomat. On the other hand, Shri Raghunath has, on more than one occasion, been the victim of Chinese harassment. Once, while buying Red Guard newspapers in a Peking street, he was taken by some Red Guards to a Public Security Bureau. Such Red Guard newspapers have been sold in the streets all these months and purchased by foreigners without any objection. However, when Shri Raghunath was told that these newspapers were not to be read or purchased by foreigners, he readily agreed to abide by this new rule.

Shri Raghunath is a young and promising diplomat who has conformed to the best traditions of our diplomatic service. In making him a victim of its nefarious designs, the People's Republic of China no doubt wishes to tarnish the name of India and has deprived him of diplomatic immunities and privileges which is unprecedented in the history of diplomatic relations between nations. The Government of India have taken a very serious view of the Chinese action. The Chinese Charged' Affairs, who was summoned to the External Affairs Ministry at 5.00 A.M. this morning was asked to convey to his Government our strong indignation at this malicious, unjust and illegal action. A protest has been made to the Charge d'Affaires against this totally unprecedented and gross violation of international law and practice. We have also demanded that no interference be made with the diplomatic status of Shri Raghunath,

[Shri M. C. Chagla.]

that the false charges levelled against him be withdrawn, and that suitable amends be made by the Government of China. It has also been explained to the Charge d'Affaires that unless this is done, the Chinese Government will have to bear the consequences of their action, and the Government of India reserve to themselves the right to take such action as they deem fit and proper.

According to a message received this morning from our Embassy in Peking, the Embassy has been informed that a public trial has been arranged for Shri Raghunath at 2.30 p. m. (12 noon IST) today, just about this time, and that he be produced before the Peking Branch of Supreme People's Court. This shows utter disregard of all norms of civilised international behaviour by the Chinese Government. The trial, of course, will be an absolute farce. We have every confidence that our Charge d'Affaires and his colleagues will react to this crisis with courage and dignity.

I may add the action that I have taken after I received this telegram about the public trial. We have conveyed through the good offices of the British High Commission here through a wireless message—we cannot get it through in time to our Embassy there—that we must not accept the summons to a public trial and the Embassy is inviolate and we should plead the immunity of our diplomat. I need hardly tell the House that the international practice is clear. Every diplomat is not subject to the municipal courts of the country. He may waive his privilege. The most that the country can do is to declare him *persona non grata* in which case he could be sent away, but what the Chinese are doing is contrary to all international practice and international law.

SHRI M. P. BHARGAVA: May I know from the hon. Minister whether the protest note which was sent

to the Chinese Government was returned without any remarks by the Chinese Government or any remarks were put on the protest note?

SHRI M. C. CHAGLA: As far as I know it was just returned. That is the Chinese practice. They returned it, as I said, after three hours without any remarks.

SHRI M. P. BHARGAVA: May I know whether hon. Minister is in a position to assure this House that the activities of the staff in the Chinese Embassy here will be closely watched and steps would be taken to see that no spying is done by them at this critical juncture?

SHRI M. C. CHAGLA: Yes, Sir. We are closely watching the Chinese Embassy here and we will see to it that the Embassy does not do any act which is prejudicial to the interests of our country.

SHRI MULKA GOVINDA REDDY (Mysore): The Chinese Government has not only misbehaved with our diplomats in Peking, they have misbehaved with the diplomats of all countries, and this is not the first occasion that the Chinese are treating the diplomats of India in this inhuman way irrespective of international law which is on our side. I would like to know from the Minister whether the Chinese Charge d'Affaires in Delhi was called to our Foreign Office and whether any explanation was sought from him regarding this action. Secondly I would like to know whether the Government is still thinking of continuing the Chinese Embassy which is doing spying work for China and whether it is not time for the Government of India to ask the Chinese Embassy to close its office and for our Embassy to close our office in Peking and whether the Government would think it proper to keep these officials of the Chinese Embassy in India as hostages unless and until our diplomat is released from this inhuman treatment.

SHRI M. C. CHAGLA: I have already stated in my statement that the Chinese Charge d'Affaires here was sent for this morning and a strong protest was made to him. As regards the second part of the question as to the action we could take, we will certainly consider the necessary action and as I have already told the House we take a very serious view of the Chinese action.

श्री राजनारायण : माननीय मंत्री जी का जो उत्तर मैंने सुना है उसमें ज्यादातर ज्यादा जोर इस पर दिया गया है कि विरोध पत्र भेज दिया गया है और ब्रिटेन के जरिये भी चीन को खबर कर दी गई है। मैं यह जानना चाहता हूँ कि क्या सरकार ने कोई निश्चित आधार अब तक बना रखा है कि अगर इस सरकार के विरोध पत्र के बावजूद भी जैसा कि लक्षण से प्रतीत होता है, चीन की सरकार कुछ तवज्जह नहीं देती है तो सरकार इसके विरोध में क्या क्या कदम उठायेगी, और जो यहां सजेसंस दिये गये माननीय मुल्क गीबन्द रेड्डी के जरिये या और दूसरे सदस्यों के जरिये, उन सजेसंस पर भी सरकार विचार करेगी कि जब तक हमारे दूतावास के लोगों के साथ अंतर्राष्ट्रीय नियमों के मुनाबिक सम्य व्यवहार नहीं होगा तब तक चीन के दूतावास के लोगों के साथ भी उसके प्रतिकार स्वरूप उचित कदम फला फला उठाये जायेंगे क्या सरकार ने इस पर कोई सोचविचार किया है ?

SHRI M. C. CHAGLA: We are giving serious thought as to what action we should take. All I can tell the House is every necessary action will be taken to uphold the dignity of our diplomats and to see that they are safe and secure.

SHRI S. S. MARISWAMY (Madras): This is not an isolated incident. Sometime before one of our officials in Peking was publicly flogged in Peking and we sent a protest

note, but nothing came out of it. This incident shows that they have gone too far and they have not released even an important official there. In retaliation why not we have these Chinese people in their Embassy here under severe watch and ask them not to move about in the City of Delhi, and also take some strong action even going to the extent of severing our diplomatic relations with Peking?

SHRI M. C. CHAGLA: That is a suggestion for action which we will consider.

SHRI DAHYABHAI V. PATEL (Gujarat): Will you ever act? You always get suggestions. But do you ever act?

SHRI M. C. CHAGLA: If the hon. Member has a little patience, he will find what action we have taken.

SHRI DAHYABHAI V. PATEL: How long shall I wait?

MR. CHAIRMAN: Only today it has happened . . .

SHRI DAHYABHAI V. PATEL: In the case of China, it is happening for the last 15 years.

SHRI D. THENGARI (Uttar Pradesh): Regarding the public trial of Mr. Raghunath, we have received information this morning. Now, during the last seven hours, have we tried to contact the different countries having diplomatic relations with China to convey the whole thing to them and to ensure that they also bring appropriate pressure to bear upon China in this respect?

SHRI M. C. CHAGLA: The first thing that I did this morning was to get the British High Commissioner here to send a wireless message to our Embassy. As regards contacting the other Embassies, China is not on good terms with anybody excepting Pakistan. (Interruptions) Hon. Members will not expect me to go to the Pakistani High Commissioner and ask him to use his good offices with China.

SHRI M M DHARIA (Maharashtra) The behaviour of China with our country has always been most insulting and annoying. They have humiliated us like anything during the past several years. It was on the birthday of Jawaharlal Nehru that the dead bodies of our own soldiers were presented by way of a birthday gift to this country. Not only that. They committed aggression on our territory and hundreds of square miles of our mother-land are yet in their possession. Under these circumstances, when China has been committing so many insulting and annoying crimes, why should not the Government here sever its diplomatic relations with China? How long are you going to take to do it? Should we suffer this humiliating treatment always? Where is our patriotism? Where has it gone? Now, they have been putting our own diplomats under trial. What have we been doing, Sir, it is not only the Chinese. In this country, there are some forces which are also acting in favour of China. Proper action shall have to be taken against them. Is it not a fact that there are some political parties who are interested in protecting the interests of China? What are you going to do? Sir, I would like to appeal to the hon. Minister of External Affairs to take proper action against China and against those who have been working in favour of China in this country. (*Interruptions*) But in order to maintain the honour and dignity of this country, our relations with China should be severed.

SHRI R S KHANDEKAR (Madhya Pradesh) It is apparent that the Chinese are not following any international law or practice or any decorum and they are not expected to, because they know only the Red Guard line. Under these circumstances may I ask the Minister of External Affairs as to what the special advantages are of our remaining there and why we should not break off our relations with them? Let the Minister of External Affairs explain what are the special advantages we are getting. During the last 18 years,

as has been pointed out, we have suffered nothing but humiliation and humiliation, loss of property, loss of honour and loss of prestige. So, under these circumstances, what would happen if we sever our relations with them? By keeping the Chinese Embassy here we are just encouraging and allowing them to spy on our activities and helping them. So, why should not the Government take courage and sever relations with China?

SHRI BHUPESH GUPTA (West Bengal) Undoubtedly, the Chinese action is deplorable and illegal from the point of view of international law and I hope that better sense will prevail in Peking. But Sir, here I find that a new line is being pushed up, a new political line that has been rejected all these years, that because of this thing there should be a breaking off of diplomatic relations with China and we should also. (*Interruptions*) Please understand.

(*Interruptions*) No, no. I should be heard. I did not interfere when you spoke. I was surprised that Mr. Dharia was trying to grind a political axe. He is supposed to be a progressive man here. (*Interruptions*) Can I have my say?

SHRI CHANDRA SHEKHAR (Uttar Pradesh) We are not going to take any lesson from him.

SHRI BHUPESH GUPTA You need not. (*Interruptions*) Mr. Chandra Shekhar far be it from me to offer you any political lesson because I know that you are impervious to any lessons, you are impenetrable to any good lessons. I do not wish to. (*Interruptions*)

MR CHAIRMAN Mr. Bhupesh Gupta will you kindly put a question?

SHRI BHUPESH GUPTA I say here, Sir, that even during the time of fighting the Government refused to think in terms of breaking off of diplomatic relations with them. Now am I to understand. (*Interruptions*) that the Government would consider this kind of suggestion.

which will not help at all? Then we should break off diplomatic relations with Pakistan, with China, with everybody . . . (Interruptions) As I have made it very clear, I have condemned this action. But that does not mean that we should lose our balance and give up our basic moorings in this matter and go in for the American light . . . (Interruptions) . . . put across by some people? Nothing would be more disastrous than to go in for breaking off of diplomatic relations either with Pakistan or with China or for that matter . . . (Interruptions)

MR. CHAIRMAN: Please.

SHRI BHUPESH GUPTA: Sir, do I have the assurance that while taking every possible step open to the Government under international law and standard, the Government will not try to aggravate the situation in a manner which would create more complications than solve problems?

(Interruptions)

HON. MEMBERS: No, no.

(Many hon. Members stood up)

MR. CHAIRMAN: Please sit down. Sit down, please. When I get up, please sit down.

SHRI P. N. SAPRU (Uttar Pradesh): I agree with Mr. Bhupesh Gupta though I share the resentment of the House. . . .

(Interruptions)

SHRI M. P. SHUKLA (Uttar Pradesh): I challenge you. If you support his view, you go and sit behind him . . .

(Interruptions)

MR. CHAIRMAN: Let us not lose our patience.

(Interruptions)

श्री राजनारायण: चैयमेन सह्य, आप धनडाइए मत यह लोग ऐसे ही लड़ते रहते हैं, कोई नई बात नहीं है।

SHRI M. P. SHUKLA: Are you talking sense Mr. Sapru? (Interruptions) If you have courage, go and sit on that side. You do not deserve to sit here on this side.

MR. CHAIRMAN: Hon. Members should keep silent. I would like to say this that the hon. Minister has expressed clearly that he would go into all the suggestions that have been made by the hon. Members and I think we should safely leave the matter into his hands to take such action as is desirable and necessary.

SOME HON. MEMBERS: No, no.

MR. CHAIRMAN: Mr. Triloki Singh.

SHRI TRILOKI SINGH (Uttar Pradesh): In view of the fact that our two diplomats have been arrested and are going to be publicly tried in Peking apart from the advice that we have given to them not to accept the summonses or warrants, suppose they are prosecuted and sentenced . . .

AN HON. MEMBER: They will be.

SHRI TRILOKI SINGH: Just listen to me.

. . . what is the remedy open to us to protect our diplomats whether under the international law or the Chinese law or any other law?

SHRI DAHYABHAI V. PATEL: Is there any law in China?

SHRI TRILOKI SINGH: I do not know but there must be some law; maybe there is such a law in China that they could beat us down and ask us to go back to our country. With all our laws, and with Parliament sitting five months in a year we could not make them realise that our people are to be dealt with according to law. I am not going to accept from Mr. Dahyabhai Patel that there is no law in China. All that I would like

[Shri Triloki Singh.]

to know from the hon. Minister is what is the remedy open to our diplomats who are going to be tried publicly to defend themselves before the Chinese courts?

SHRI M. C. CHAGLA: I said China does not believe in any law, it does not observe any law. . . . (Interruptions) The very fact that they have summoned a diplomat to a public trial is a gross violation of international law, international practice we have advised our Charge-d' Affaires not to submit to the jurisdiction of this court. But if he is physically dragged, as I am apprehensive he might be, then we will see what action has got to be taken.

श्री राजनारायण मै, श्रीमन् एक सवाल करना चाहता हूँ। श्री भूपेश गुप्ता जी और धारिया साहब को सुनने के बाद जैसा कि मैं समझ रहा हूँ श्री भूपेश गुप्ता ने वही बात कही जो धारिया साहब ने कही कि भारत की सरकार ने जब चीन की लड़ाई चल रही थी तो डिप्लोमैटिक रिलेशंस को कट-आफ नहीं किया यह भारत की सरकार की दुर्बलता थी, कमजोरी थी, गलती थी, यह भूपेश जी ने कहा

SHRI BHUPESH GUPTA: I never said that. You say so because I spoke in English and you do not like English. You know English very well.

श्री राजनारायण मैने इसका मतलब यही समझा जब कि उन्होंने यह कहा।

SHRI BHUPESH GUPTA: I said that the India Government was very wise. Pandit Jawaharlal Nehru showed great statesmanship by not severing the relationship.

श्री राजनारायण I understand what you have said

तो भूपेश जी ने एक गलती की और सरकार को ध्यान दिलाया था कि लड़ाई चलते समय उससे डिप्लोमैटिक रिलेशंस कट-आफ नहीं किया तो इस समय क्या कट-आफ करेगी, इसका मतलब यही था। श्री त्रिलोकी सिंह जी के प्रश्न का भी वही उत्तर हो सकता है, माननीय मंत्री जी ने जी कुछ कहा उसका भी उत्तर वही उत्तर हो सकता है, हम लोग जो सवाल कर रहे हैं उसका उत्तर भी वही हो सकता है, हम लोग जो सवाल कर रहे हैं उसका उत्तर भी वही हो सकता है, कि चीन में कोई कानून कायदा नहीं है और सरकार कहती है कि चीन इंसानियत और मानवता के कायदे कानून को नहीं मानता। वहां इंसानियत नहीं है सिर्फ हड़बौंग है। तो इन तमाम बातों की मद्देनजर रखते हुए सरकार वह हिम्मत अब करेगी कि चीन अगर हमारे दूतावास के लोगों के साथ सभ्य व्यवहार न करे तो उनसे सभी सम्बन्ध कट-आफ कर लें बिना किसी चूचपड़ के। हमारा एक सवाल साफ है।

दूसरी बात हमारी है कि क्या सदन के सम्मानित सदस्य सरकार और राष्ट्र का फर्क कर रहे हैं। मैं यह कहना चाहता हूँ माननीय सदस्यों से कि अगर यह सरकार चीन से अपने सम्बन्धों को विच्छेद न करे तो क्या सदन के सम्मानित सदस्य तैयार हैं कि इस सरकार से अपना सम्बन्ध विच्छेद कर लें क्योंकि चीन की आफत से बचने के लिए इस कांग्रेस सरकार की आफत से बचना देश की जनता के लिए और सदन के सम्मानित सदस्यों के लिए बहुत जरूरी है।

MR. CHAIRMAN: The matter has been sufficiently discussed. Would you like to reply?

SHRI M. C. CHAGLA: No, Sir.

MR. CHAIRMAN: There is nothing more to reply.