

स्तान की तरफ से थे। उस कमिशन में कंसल्ट राय से यह तय किया गया।

श्री विमलकुमार मन्नालालजी
चौरङ्गिया : क्या यह बात सही है कि उस वक़्त यह तय हुआ था कि वहाँ पर जो टावर हैं हिन्दुस्तान के और पाकिस्तान के, वे अपनी अपनी सीमा में रोखे हटाये जायें और हिन्दुस्तान ने तो अपना टावर नष्ट कर दिया और पाकिस्तान के कुछ टावर अभी तक नष्ट नहीं किये गये।

श्री विनेश सिंह : जी नहीं, वहाँ पर सीमा के ऊपर सही सही निशान लगाये गये हैं ;

श्री विमलकुमार मन्नालालजी
चौरङ्गिया : मैं टावर के बारे में प्रश्न पूछ रहा हूँ कि पाकिस्तान के टावर नष्ट किये गये अथवा नहीं ?

(No reply.)

SHRI T. S. AVINASHILINGAM CHETTIAR: Since it was all going on in Hindi, may I know, Sir, the answers given to parts (b) and (c)?

SHRI DINESH SINGH: These are the answers—

(a) This was done in implementation of the Radcliffe Award of 1947;

(fo) Yes, Sir;

(e) Yes, Sir; information regarding the population of the area mentioned in part (b) of the question is being obtained from the State Government.

SHRI J. S. AVINASHILINGAM CHETTIAR: Since the land that belongs to India is divided by that river and the bridge cannot be used by the Indian nationals, may I know, Sir, how they get into touch with the mainland?

SHRI DINESH SINGH: They cross the river by boats.

श्री विमलकुमार मन्नालालजी
चौरङ्गिया : क्या माननीय मंत्री जी बतायें कि जो उधर का हिस्सा है जो नदी के उस पार है उसको पटुवने के लिये भारतीय किस मार्ग से जायेंगे ? क्या इसके लिये कुछ व्यवस्था है ?

श्री विनेश सिंह : मैंने अभी अर्ज किया कि नाव से वहाँ जा सकते हैं।

SHRI T. S. AVINASHILINGAM CHETTIAR: The river belongs to whom?

श्री विनेश सिंह : नदी तो बड़ी लम्बी है, कुछ किसी के हिस्से में है और कुछ किसी के हिस्से में है लेकिन जो हमारी जमीन है उसके बीच में जो है वह हमारे में है।

SHRI T. S. AVINASHILINGAM CHETTIAR: Let me understand what you say.

SHRI DINESH SINGH: The river in its long course belongs to various countries, but in that particular area it belongs to us.

श्री विमलकुमार मन्नालालजी
चौरङ्गिया : क्या माननीय मंत्री जी बतायेंगे कि भारतवर्ष की कितनी भूमि जो १९४७ के बाद हमारे कब्जे में थी वह पाकिस्तान को दी गई और पाकिस्तान की कितनी एकड़ भूमि अपने को दी गई ?

श्री जवाहरलाल नेहरू : इसका जवाब देना मुश्किल है लेकिन इसका जवाब पहले ही चुका है। सारे फिगर्स, सारे फैक्ट्स यहाँ बता दिये गये थे जब कि वह हुआ था।

DISPOSAL OF LT.-COL HATTACHAHYA% APPEAL BY PAKISTAN

•10. SHRI A. B. VAJPAYEE: Wm the PRIME MINISTER be pleased to state whether the appeal filed by Lt-Col. Bhattacharya against his convic-

tkm by the Pakistan Special Military Tribunal has since been disposed of?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DDJESH SINGH) : No, Sir, but we hope that the President of Pakistan, to whom Lt.-Col. Bhattacharya has addressed his appeal, will accord it his special attention and remove the serious injustice done to Lt.-Col. Bhattacharya.

SHRI A. B. VAJPAYEE: May I know, Sir, what assistance the Government of India has offered in this case?

SHRI DINESH SINGH: Sir, as the hon. Member knows, this matter was discussed in Lok Sabha when he was a Member there, and the Law Minister had given details of all the assistance that was given by us. We have given him the necessary legal assistance and his family financial assistance in that connection.

SHRI A. B. VAJPAYEE: Is it not a fact that his case is not being dealt with at the Governmental level, and that Col. Bhattacharya has been left to the tender mercies of Pakistan?

SHRI DINESH SINGH: No. But it is a matter that cannot be discussed at Government level.

SHRI BHUPESH GUPTA: How?

SHRI A. B. VAJPAYEE: Why not?

SHRI DINESH SINGH: It is because we do not recognise it was a legal act since he had been dragged away from our territory.

SHRI JAWAHARLAL NEHRU: In all the circumstances we considered it undesirable for Government to become a kind of agent to Col. Bhatta-eharya, but in actual fact we helped his family to get legal assistance, gave them financial help, etc., but the formal representation was not done by Government because it was not considered right and proper in a case of

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this kind for us to acknowledge that court which was trying him.

SHRI A. B. VAJPAYEE: Is it not a fact that Col. Bhattacharya was kidnapped from Indian territory and that too when he had gone on official duty and, if so, why the Government should hesitate to make a formal representation to the Government of Pakistan?

SHRI JAWAHARLAL NEHRU: That was the matter at issue—the trial.

SHRI BHUPESH GUPTA: I understood the Prime Minister or his deputy saying that the Government does not recognise this particular act, the trial, but, assuming, Sir, that it is an illegal act, even so, what prevents the Government from taking up this matter with the Pakistan authorities saying that without prejudice to the legality or otherwise of this act they want to discuss this matter? It is open to this Government. Now, in view of the fact that martial law has been lifted there, may I know, Sir, whether, taking that into account, the Government has considered the advisability of ensuring that the matter is now taken up in the civil court and the appeal is heard on the basis of the civil law, as now there is no martial law? And this cannot happen unless the Government steps into the picture and makes its weight felt in this matter.

SHRI JAWAHARLAL NEHRU: Sir, Col. Bhattacharya did not suffer his case in any way because it was conducted by an able lawyer and the Government* helped in getting the services of that lawyer. I still maintain, Sir, that in the nature of the case it was not desirable for Government to take any official part in it, and whatever had been done previously under the martial law, I do not know the legal significance of it but I suppose that it still holds the field even though martial law may not be in force today.

SHRI BHUPESH GUPTA: Is it not then possible for the Government to

initiate action? I do not understand why the Government cannot come into the picture. Of course, Government have made it known that they do not recognise this act, that they consider it an illegal act. Even so, when it is a question of Col. Bhatla-charya, Government can certainly come in. However, Sir, now it is important; martial law has been lifted; he was tried under the Martial Law Administration when the normal processes of law were denied to him. Today, I would like to know whether the Government have found out in what manner his appeal could be heard. Would it go to any Military Tribunal or come under certain Ordinances that they have promulgated in Pakistan or would it be heard under the ordinary law of the land of Pakistan—not under the Ordinances they have issued?

SHRI JAWAHARLAL NEHRU: I am sorry I am unable to add to what I have said.

पूर्वी पाकिस्तान से भारतीय पत्रकारों का निष्कासित किया जाना

११. श्री ए० बी० वाजपेयी : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पाकिस्तान सरकार ने कुछ भारतीय पत्रकारों को पूर्वी पाकिस्तान से निष्कासित कर दिया है ;

(ख) यदि हाँ, तो इस निष्कासन का क्या कारण है ;

(ग) भारत स्थित पाकिस्तान पत्रकारों के लिए भारत सरकार ने क्या क्या सुविधायें दे रखी हैं; और

(घ) क्या पाकिस्तान स्थित भारतीय पत्रकारों को भी उसी प्रकार की सुविधायें प्राप्त हैं ?

t [EXPULSION OF INDIAN JOURNALISTS FROM EAST PAKISTAN

•11. SHRI A. B. VAJPAYEE: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Pakistan Government has expelled some Indian journalists from East Pakistan;

(b) if so, what is the reason of this expulsion;

(c) what facilities have been provided by Government of India for the Pakistani journalists in India; and

(d) whether the Indian journalist* in Pakistan also enjoy similar facilities?]

विदेशिक कार्य मंत्रालय में उपमंत्रि

(श्री दिनेश सिंह) : (क) जी हाँ ।

फरवरी १९६२ में 'दी स्टेट्समैन' के संवाददाता श्री नोनी और उनकी पत्नी को बहुत छोड़े समय के नोटिस पर पूर्व पाकिस्तान छोड़ देने का आदेश दिया गया था ।

(ख) श्री डब्ल्यू० एच० नोनी और उनकी पत्नी ने बीता के पुनर्विवरण के लिये अपने पासपोर्ट पाकिस्तान सरकार के पास जमा किये थे ; १० फरवरी, १९६२ को ये पासपोर्ट उन्हें इस आदेश के साथ लौटा दिए गए कि वे १२ फरवरी, १९६२ तक पूर्व पाकिस्तान छोड़ दें । ढाका-स्थित भारतीय उप हाई कमिश्नर के प्रयत्न करने के बावजूद पूर्व पाकिस्तान सरकार न तो अपने निर्णय पर फिर से विचार करने के लिये तयार हुई और न श्री नोनी को इतना समय देने के लिये ही वे ढाका में अपना काम-बाम समेट सकें ।

(ग) और (घ) भारत में नियुक्त पाकिस्तानी संवाददाताओं को भारत सरकार वही सुविधायें देती है जो अन्य नियुक्त विदेशी संवाददाताओं को दी जाती हैं ।

†[] English translation.