

GOVERNMENT BILL**The Drugs and Cosmetics (Amendment) Bill, 2013**

MR. DEPUTY CHAIRMAN: Mr. Jagat Prakash Nadda wants to withdraw a Bill. If the House does not have any objection, I will allow him. It will take only half-a-minute.

SHRI MADHUSUDAN MISTRY (Gujarat): Sir, the Maternity Benefit Bill has been circulated only today. It is being introduced and considered for passing.

MR. DEPUTY CHAIRMAN: No, no. He is only withdrawing a Bill.

SHRI MADHUSUDAN MISTRY: Sorry, Sir.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA): Sir, I beg to move for leave to withdraw the Bill further to amend the Drugs and Cosmetics Act, 1940.

The question was put and the motion was adopted.

SHRI JAGAT PRAKASH NADDA: Sir, I withdraw the Bill.

**DISCUSSION ON THE PREVAILING SITUATION IN
KASHMIR VALLEY—Contd.**

SHRI SITARAM YECHURY: Sir, this is the third occasion in the last three days when I am rising with a degree of agony, anxiety and anger at what is happening in the Kashmir Valley. सत्ता पक्ष की ओर से हमारे कुलिंग ने जो कहा, वह मैंने सुना। जम्मू-कश्मीर के अंदर जम्मू, लद्दाख और बाकी प्रांतों में विकास किस तरीके से होगा, इसके बारे में बात हुई। यह बहुत गम्भीर बात है, उसके बारे में चर्चा होनी चाहिए, लेकिन आज हम सब लोग यहाँ इस बात पर चर्चा कर रहे हैं कि कश्मीर घाटी के अंदर हालात क्या हैं। Today is the thirty-second day of the curfew. There has been a continuous curfew for thirty-two days and every day firing is taking place. Every day somebody is being killed. Every day people are getting injured. Why is this agony and pain continuing unrelenting in the Valley? And how can you stop it? That is the issue before us. We are not talking about the old packages for Kashmir that all of us had announced and why they are not being implemented. They are important. Development of other regions of Jammu and Ladakh is important. But right now the issue is this. What is happening in the Valley? And why are we not able to control it?

SHRI JAIRAM RAMESH (Karnataka): Sir, nobody from the Home Ministry is sitting here.

SHRI MUKHTAR ABBAS NAQVI: Sir, I am taking note of it. He is coming.

SHRI JAIRAM RAMESH: Sir, nobody from the Home Ministry is sitting here. Not even an MoS. Sir, somebody from the Home Ministry should be here. ...*(Interruptions)*... सर, यहाँ कैबिनेट मंत्री नहीं हैं, राज्य मंत्री नहीं हैं, कोई नहीं है। ...*(व्यवधान)*...

SHRI PRAMOD TIWARI (Uttar Pradesh): Sir, this has been the tradition. ...*(Interruptions)*... Unless he has given it in writing stating that he will not be available. ...*(Interruptions)*...

श्री जयराम रमेश: सर, दो एमओएस हैं, लेकिन यहाँ एमओएस भी नहीं हैं। ...*(व्यवधान)*... अच्छा, एक आ गए हैं। ...*(व्यवधान)*...

SHRI SITARAM YECHURY: Sir, start my time from now. Don't deduct this time from my time.

श्री जयराम रमेश: सर, इनको टाइम पर आना चाहिए। ...*(व्यवधान)*...

श्री मुख्तार अब्बास नकवी: चलिए, कोई बात नहीं है। ...*(व्यवधान)*...

SHRI SITARAM YECHURY: Sir, I am continuing with the same anguish, the same anger and the same anxiety over what is happening after thirty-two days of curfew. We have not come to any way of trying to find a solution to the situation there. I had suggested in the last two days to stop using these pellet guns. Start the political process. Call an all-party meeting in Delhi. Call a meeting in Jammu and Kashmir. Consult all shades of opinion and start the process of a political dialogue without which there cannot be a solution. Unfortunately, till now this has not happened. And I again demand that this should be done immediately. Of course, there is a question of Pakistani interference, cross-border infiltration. All those questions will always be there. I think the whole House, the whole Parliament, the whole country has, without any hesitation, said that that is something which must be stopped. We always stood against it and we will stand against it. They have no business to interfere. That is a different question. But please remember that. Sir, I want you to listen to this point. Even a vulture, when it dips down to eat on the carcass, comes down only when it smells blood. Only when it smells blood that there is a dead carcass, the vulture comes down to feed on that carcass. That blood is being spilt and we are allowing vultures across the border to come and feed on that. Why is that blood being spilt? Why is there a trust deficit today in the Valley? Why is there a degree of

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alienation amongst the people? That is the question which needs to be addressed. We have to stop this violence. That is one aspect. But, address the trust deficit. Why is that trust deficit happening? Sir, we have to ponder over that. The people of Kashmir, men and women, at the time of our independence, fought against the Pakistani raiders to defend our independence even ignoring the religious affiliations of the people. Everywhere in North India, particularly in Punjab, and in Bengal, you had communal holocaust; you had Mahatma Gandhi not here at the Red Fort when our flag was flown on the day of Independence. He was there on a hunger strike to stop the communal riots at Noakhali in Bengal. But, in Kashmir, there was not a single communal clash. Please remember that. They started with the aspiration of independence, coming and joining India, and overthrowing the feudal oppression there. It is the only State in the country where the land of the landlords was confiscated without compensation and given to the tillers of the land. ...*(Interruptions)*... It is the only State. ...*(Interruptions)*... You signed that. There is the Maharaja who signed that Bill, who is sitting here with us. It is the only State. The aspiration was for prosperity, unity and maintaining that uniqueness of what is called the *kashmiriyat*. We have talked about the uniqueness of *kashmiriyat*. I have said it here a number of times. I have said that to Dr. *Saheb*, who was then the *Maharaja* of the Dogra Empire. At that point of time, you had the *Pari Mahal* — and he said that it was opposite his house. On the other side of *Pari Mahal*, diagonally opposite, you have the *Shankaracharya*. You had a culture where all religions were intermingling with each other and it was at that *Pari Mahal* that Dara Shikoh, who ought to have been the *Mughal Baadshah* — that is a different story of history — was inspired to write the treatise called the *Majma-ul-Bahrain: The Mingling of Two Oceans of Sufism and Vedanta*, and how both of them mingled together for the sake of advancing humanity. That is *kashmiriyat*. There were no communal clashes. It was called the *Wahdat al-wujud*, which means the unity of purpose of life. That is the *kashmiriyat* that you are talking about, which has to be kept in mind. Why are these people alienated today? We need to address that question. You talked of Article 370. Many people question: Why is it only for Jammu and Kashmir? You have Articles 371, 371A, 371B, 371C, 371D, etc. I am a beneficiary of that. I am a beneficiary of one of those Articles which deal with Telangana. Now, the State is divided. That is a different point. At that point of time, you defined who is a domicile. It was called a *mulki*. A *mulki* certificate was given — an Andhraite was a *mulki* in Telangana. The Constitution provided me the special right. So, Article 370 is not unique to Jammu and Kashmir only. We have that for many States in the North-East. You had it for other parts of the States in our country. So, what did you promise then? It was the autonomy. One of the Indian Prime Ministers said that sky was the limit for autonomy. You know about

which Prime Minister I am talking about — Mr. P.V. Narasimha Rao. But he said that sky is the limit. We have heard the repetition of what Mr. Atal Bihari Vajpayee said, of the *insaniyat*, *Kashmiriat* and *Jamhuriat*, democracy, humanity and humanism. The Leader of the Opposition has correctly said that that being repeated by somebody, who does not carry that credibility today, does not make any sense. That is correct. But, remember, Sir, it was not only the slogans that Mr. Vajpayee gave. Mr. Vajpayee, on the 19th of November, 2000, declared what is famously known as the Ramzan ceasefire. He responded to the Hizbul Mujahideen and declared a unilateral ceasefire from India. Mr. Vajpayee did that. Then, on, 22nd January, 2004, Mr. Lal Krishna Advani, as the Deputy Prime Minister, as the Home Minister of India, calls for a round table meeting, going out of the way, calls the leaders of the separatist movement to Delhi for a discussion — the same BJP Government, Sir. So, mere slogans are not sufficient. What is your concrete action? What are you proposing now? How do you want to carry this process forward? If Mr. Vajpayee can declare a unilateral ceasefire, if Mr. Advani can call a round table meeting with the Hurriyat and the separatists, what is preventing this Government from initiating a political dialogue and the political process? I told you, as far as Pakistan is concerned, on that, there is absolutely no different shade of opinion. But, then, with Pakistan, is it not our job to shame Pakistan in the international fora; to tell them how they are interfering in independent affairs of our country? What are you doing with that Indo-Pak dialogue — blow hot, blow cold? When you want to wish Happy Birthday, you suddenly land in Islamabad. Then, after that, you stop all the talks. It has already been said, — my friend Mr. Sharad Yadav has already said it — by giving nuclear parity to Pakistan, you cannot have the option of any war with them. What are the diplomatic channels? How are we using them? Are we using them? Sir, that trust deficit, among the people in Kashmir, is a string of betrayals of the promises that we have made. I have here a whole set of documents. If you want, I will give it to the Home Minister to refresh his memory. They must be there in his files. I have here, all the Working Groups' records. One of these Working Groups was headed by our hon. Chairman at that time, in 2007. All the recommendations are here. These also, I will give to the Government, if they want to refresh their memory. Then, after 2010, we sent an all-party delegation. As, I told you yesterday, the Leader of the House, myself and a few others, went there. After that, we met the Hurriyat leaders. The Government was not very happy but we insisted; we went there and met them. Then, the situation was returning to normalcy. We appointed a team of interlocutors. That team of interlocutors was announced in this House. The team of interlocutors gave their report. Where is that report? Why is it not being placed in the House when it was decided in the House and an announcement was made here? What are those recommendations? You have to address this central question of the promises made to the people of Kashmir at the

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time of Independence and the string of betrayals that have happened since then. I can go through the history if you want to hear that; what all happened; what the 1953 understanding was; what happened subsequently with the Sheikh etc. The arrest of the Sheikh, what happened to that? After his untimely death, how undemocratically an elected Government was toppled! We can go into all those issues. But that is not the point. That would not solve the problem today. The problem, today, can be solved only if you initiate a political dialogue on this central issue of the promises made to the people of Kashmir. How are you going to implement that? And, on that, I have been urging upon this Government, all along, that this can only come through an atmosphere of trust. If there is a trust deficit, you have to create an atmosphere of trust. If, every day, you start saying 'abrogate Article 370', are you creating trust? If, every day, you say 'in the name of *gau raksha*, I am going to kill,' are you creating trust? You hang two Muslim youths in Latehar in Jharkhand, on a false allegation; you murder Akhlaq in Dadri, on a false allegation: Is that all creating trust? Love *Jihad*, *Ghar Wapsi*- this kind of atmosphere that has been created in the whole country, is, actually, vitiating that trust. I want this Government to seriously ponder because the point is to solve the problem in Kashmir, which is, actually, a wound for all of us. It is paining all of us and it should be paining the whole of India. How do you address that point? Create that trust. To create that trust, you will have to show the credibility in creating that trust. Merely repeating, what Shri Atal Bihari Vajpayee said, is not going to create that trust. Create that trust by your behaviour; create that trust by stopping this entire campaign saying 'abrogate Article 370'. Create that trust by stopping this communal polarization that is taking place in the country and only then, can we, actually, create the conditions. When we went to Jammu and Kashmir in 2010, we were told that, at best, there are only 200-300 militants. Today, the Home Ministry's official assessment is that they are something to the tune of thousands. Why did they grow? Why did this happen? Unless you address that central question of the political trust deficit and address these important issues of the promises made to them on the question of autonomy, on the question of Article 370, I do not think we can resolve this thing. So what is to be done? I urge upon this Government once again. Please discuss all these issues and discuss them with an open mind. Don't fix up any agenda of that nature which is limiting. Discuss that with an open mind, listen to all the ideas and within the framework of what we have promised to the State of Jammu and Kashmir at the time of accession to the Indian Union. We will have to remove all the inadequacies that have happened in the past. At least, start addressing that issue. That is absolutely important. For that, that confidence building is required and, for this, first, take all the political parties here, in the Parliament, on board. Call them together and discuss this issue. Then, you call all the forces, like Mr. Vajpayee

did, like Mr. Advani did, and discuss with them. And then, you please consider sending an all-party delegation to give that confidence to the people that we are there, we are concerned about these issues which have remained unresolved so far. And that, Sir, is what is required right now. Therefore, I end by only re-urging the Government to please start this process of political dialogue. Please stop these pellet guns. Yesterday, I told you that I was ashamed to show you the photograph, but I will show it to you.

MR. DEPUTY CHAIRMAN: I saw it.

SHRI SITARAM YECHURY: Look at this. What is this?

MR. DEPUTY CHAIRMAN: I have also seen the inside photo.

SHRI SITARAM YECHURY: Inside photos, I am not showing. What is this? How are you going to get any trust of the people by this? Stop this and immediately start this political process. That is my urging to the Government.

MR. DEPUTY CHAIRMAN: Shri Dilip Kumar Tirkey.

श्री दिलीप कुमार तिरकी (ओडिशा): महोदय, आपका बहुत-बहुत धन्यवाद। यह स्पष्ट हो गया है कि कश्मीर में पाकिस्तान आतंकवाद को खुला समर्थन दे रहा है। आज हमारे कश्मीर के यूथ पत्थर पकड़ने पर इसलिए मजबूर हुए हैं, क्योंकि वहाँ पर पाकिस्तान का प्रभाव है, अलगाववादियों का प्रभाव है। महोदय, पाकिस्तान की politics क्या है? पाकिस्तान हमेशा यह चाहता है कि वहाँ जो शासन कर रहे हैं या वहाँ जो आर्मी वाले तैनात हैं, वे भारत के बारे में जो जितना गलत बोलेगा, जितना negative बोलेगा, वह वहाँ पर हीरो है। यही पाकिस्तान की politics है। इतिहास साक्षी है, इसमें कोई शक नहीं है। आज कश्मीर में जो हो रहा है, वे लोग जो चाह रहे हैं, जो अलगाववादी चाह रहे हैं, वही हो रहा है। वहाँ पर हमारे लोग मर रहे हैं, वे यही चाह रहे हैं। आज की तारीख में मेरे ख्याल से लगभग 60 लोग मर चुके हैं और 3,000 से अधिक लोग घायल हो चुके हैं। वे यही चाह रहे हैं। महोदय, यह हमारे लिए काफी दुख की बात है और सोचने की बात है।

जैसा राम गोपाल यादव जी कह रहे थे कि हमें इसकी root तक जाना पड़ेगा, हमें इसकी जड़ को पकड़ना पड़ेगा, तभी यह problem solve होगी; otherwise, वहाँ पर हमारे youths में इसी तरह की tension बढ़ती रहेगी। अभी उनको healing touch देना चाहिए। उनको healing touch की जरूरत है। हम उनके culture पर गर्व करते हैं। हमें उनके culture के साथ भी मिलना चाहिए। वे हमारे भाई-बहन हैं, हमें उनको ऐसा एहसास कराना चाहिए। इसकी जरूरत है। हम दुनिया को हिंसा नहीं, बल्कि अहिंसा का रास्ता दिखाते हैं। मुझे लगता है कि वहाँ पर फौज की नहीं, बल्कि dialogue की जरूरत है। वहाँ पर हमारे जितने भी youths हैं, स्कूल, कॉलेज, community है, वहाँ पर जाकर हमें उनसे मिलना चाहिए, उनसे बातें करनी चाहिए, उनके साथ discussion करना चाहिए, तभी उनको एहसास होगा कि हम उनके साथ हैं। आज हम देख रहे हैं कि 5 वर्ष के बच्चे, 7 वर्ष के बच्चे, 12 वर्ष के बच्चे ऐसी घटनाएँ देख रहे हैं। एक तरफ वे पत्थर फेंकना देख रहे हैं, दूसरी तरफ police firing देख

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रहे हैं। कल वे बच्चे वही सीखेंगे। इसलिए कल को बेहतर करने के लिए हमें उनको समझाना ही होगा। इसके लिए हमें उनके culture के पास जाना ही होगा। अभी भी वहाँ की situation बहुत खराब है, यह सबको मालूम है। हम सब कहते हैं, हमारी पार्टी भी गर्व के साथ कहती है कि जम्मू और कश्मीर हमारे देश का अभिन्न अंग है। महोदय, हमें उनके मन में और दिल में पहुंचना है। सबसे पहले तो मैं सरकार से अनुरोध करूँगा कि हमें यह काम सबसे पहले करना होगा, तभी वहाँ की हालत कुछ सुधर पाएगी। जैसा सभी कह रहे हैं, हम भी यही कहना चाहेंगे कि जितनी जल्दी हो सके, सरकार की तरफ से तुरंत एक All-Party Meeting बुलाई जाए, जितनी जल्दी हो सके, जम्मू-कश्मीर में All-Party Delegation भेजा जाए, ताकि वहाँ के हालात को समझा जाए, उनके साथ बात की जाए।

महोदय, अंत में मैं यही कहना चाहूँगा कि dialogue और political process से ही यह problem खत्म होगी। इसके लिए हमारी सरकार को अपनी ओर से पूरी कोशिश करनी चाहिए, ताकि आगे वहाँ पर इस तरह की घटना न हो। खास तौर से हमारे जितने भी youths हैं, वे पाकिस्तान के प्रभाव से या अलगाववादियों के प्रभाव से ऐसी घटना न करें, जो अभी घट रही हैं। मैं इतना ही कहना चाहूँगा कि सरकार को इसके ऊपर ध्यान देकर काम करना होगा। Thank you, Sir.

श्री मुनकाद अली (उत्तर प्रदेश): मान्यवर, मुझे आपने जम्मू-कश्मीर के बिगड़ते हुए हालात पर बोलने का मौका दिया, इसके लिए मैं आपका आभारी हूँ। मैं अपनी पार्टी की नेता, बहन कुमारी मायावती जी का भी शुक्रिया अदा करता हूँ, जिन्होंने मुझे इस चर्चा में भाग लेने के लिए नामित किया।

मान्यवर, कल हमारी पार्टी की नेता, बहन कुमारी मायावती जी ने जम्मू-कश्मीर के वर्तमान हालात पर चर्चा की मांग की थी और आज सदन के अंदर जम्मू-कश्मीर के हालात पर चर्चा जारी है। कई पार्टियों के रहनुमाओं ने जम्मू-कश्मीर के हालात के ऊपर सदन में अपनी बात रखते हुए चिंता जाहिर की है। आज जम्मू-कश्मीर के अंदर पीडीपी और भारतीय जनता पार्टी की मिली जुली सरकार है, लेकिन वहाँ हालात बड़े गंभीर हैं। 32 दिन से वहाँ पर कर्फ्यू जारी है। हिन्दुस्तान की आजादी की तारीख में यह पहला मौका है, जब इतने लम्बे समय तक वहाँ कर्फ्यू रहा हो।

मान्यवर, वहाँ पर 60 से ज्यादा लोगों की जानें चली गई हैं और 5,000 से ज्यादा लोग गंभीर रूप से घायल हैं। इनमें सुरक्षा बलों के लोग मारे जा रहे हैं और बच्चों को भी नहीं बख्शा जा रहा है। 500 से ज्यादा युवाओं की आंखों की रोशनी चली गई है। जम्मू-कश्मीर के हालात दिन-प्रतिदिन बिगड़ते जा रहे हैं, लेकिन सरकार कहती है कि वहाँ स्थिति सामान्य है। बिगड़ते हालात पर इतने लम्बे समय से काबू न पाया जा पाना एक बहुत ही गंभीर बात है। इस पर हमें सोचना होगा।

मान्यवर, आज जम्मू-कश्मीर के हालात पर सदन के अंदर चर्चा जारी है। पहले भी कई बार इस प्रकार की चर्चाएं हो चुकी हैं और कई बार सर्वदलीय प्रतिनिधि मंडल जम्मू-कश्मीर गए हैं, लेकिन आज तक वहाँ की समस्याओं का कोई स्थाई और ठोस हल नहीं निकल पाया है। इसकी खास वजह यह है कि हमारे देश में, घर के अंदर ही आतंकवाद पैदा हो रहा है। बाहर के आतंकवाद से तो हम आसानी से निपट सकते हैं, लेकिन घर के अंदर के आतंकवाद से निपटने के लिए हमें ठोस कदम उठाने की जरूरत है।

मान्यवर, आज हमारे देश के प्रधान मंत्री दुनिया के देशों का दौरा करते हैं और आतंकवाद को मिटाने की बात करते हैं। मैं उनसे गुजारिश करूंगा कि वे पहले अपने देश में, अपने घर में जो आतंकवाद फैल रहा है, उसे भी गंभीरता से लें और उस पर गंभीरता से विचार करें। आज सभी विपक्षी पार्टियां चाहती हैं कि जम्मू-कश्मीर के हालात अति शीघ्र सुधरें। इसके लिए सभी पार्टियां एक साथ हैं। हमारी पार्टी का भी यही कहना है कि हम सबको दलगत राजनीति से हट कर, मिलजुल कर जम्मू-कश्मीर के हालात पर ठोस कदम उठाने की जरूरत है, ताकि वहां की आवाम में सरकार के प्रति विश्वास जगे और वहां पर अमन-चैन कायम हो।

मान्यवर, आज पूरा कश्मीर जल रहा है, इन्सानियत का खून बहाया जा रहा है। हमें कश्मीर के हालात पर मिलजुल कर हल निकालना होगा और कश्मीर की आवाम का दिल जीतना होगा। मैं सरकार से गुजारिश करूंगा कि कर्पूरु में धिरे लोगों के लिए दवा, पानी, खाना आदि की सुविधाओं को पूरा-पूरा ध्यान रखा जाए। मान्यवर, आज हमारी पार्टी जम्मू-कश्मीर की आवाम से, नौजवानों से यह अपील करती है कि वे जम्मू-कश्मीर के अमन-चैन को कायम करने के लिए आगे बढ़ें और इंसानियत का पैगाम दें।

मान्यवर, मैं ज्यादा समय न लेते हुए अपने देश की इंसानियत के दुश्मनों की जानिब एक शेर पढ़ कर अपनी बात को खत्म करता हूँ:-

लोग टूट जाते हैं एक घर बनाने में।
वो तरस खाते नहीं कश्मीर जलाने में।

धन्यवाद

MR. DEPUTY CHAIRMAN: Thank you very much, Mr. Munquad Ali. Now, Shri D.P. Tripathi.

SHRI D.P. TRIPATHI (Maharashtra): Thank you, Mr. Deputy Chairman.

मैं आज की बहस की शुरुआत तो करना चाहता था कश्मीर के मसलों के मुताल्लिक ...**(व्यवधान)**... कश्मीर के बहुत अज़ीम शायर पीरजादा गुलाम अहमद महजूर साहब से, लेकिन कश्मीर में जो हालात हैं, आज मैं मजबूर हो गया हूँ कि बंगाली के मशहूर कवि स्वर्गीय नबारन भट्टाचार्य, जो मेरे बड़े जिगरी दोस्त थे, उनकी कुछ पंक्तियों से मैं कश्मीर की समस्या की बहस की शुरुआत करूँ। मैं उन पंक्तियों का तर्जुमा सुना रहा हूँ।

"यह मौत की घाटी मेरा मुल्क नहीं है, यह जल्लादों का उल्लास मंच मेरा मुल्क नहीं है, यह फैली हुई कब्रगाह मेरा मुल्क नहीं है, यह खून में नहाया हुआ कसाईखाना मेरा मुल्क नहीं है।" आज कश्मीर के हालात यहां तक पहुंच चुके हैं और आज सरहद के पार से दहशतगर्द आ रहे हैं, घुसपैठ कर रहे हैं, हालात को बिगाड़ रहे हैं, इसमें कोई शक नहीं है। It is not merely infiltration. Beginning with the hon. Leader of the Opposition, who happens to be a great son of Kashmir, we are all proud of him that he is leading the Opposition in this House, Mr.

[Shri D.P. Tripathi]

Ghulam Nabi Azad, to Mr. Derik O'Brien, to Mr. Sitaram Yechury, all have pointed out that the House is one as far as opposing all these anti-national terrorist activities, promoted by Pakistan across the border, are concerned. As the Leader of the House said, we should speak in one voice; we are prepared to speak in one voice. But I fail to understand why the Government is not convening the All-Party meet, and then, sending a delegation. What is so wrong, so dangerous about this? I fail to understand. This is something which should be treated as an urgent beginning of the dialogue, which is essential. I am sorry to say that the Government is behaving as the Tamil poet says—I ask Dr. Maitreyan to correct me if I am wrong— if I remember correctly, 'Don't work hard to fail; work hard to succeed'. And we are all with you, with the Treasury Benches, in resolving this crisis. Some hon. Members have said that this is the worst longest curfew in the post-Independent India. It is wrong. I want to correct that impression. It is not the only example. In that also, Gujarat tops. In 1969, the communal clashes in Ahmedabad, was the worst example of the longest curfew for 65 days in which 560 people had lost their lives ...*(Interruptions)*... I am not blaming anybody. I am just giving the factual example.

SHRI SHARAD YADAV: Moradabad also.

SHRI D.P. TRIPATHI: No; Moradabad was not that long. I have the record. Sir, Members here, from Shri Sharad Yadavji to Prof. Ram Gopal Yadav and now Shri Sitaram Yechury also, who, while speaking, have gone into the history. I am not repeating those things. But, one thing, I must state and it is the most important thing because it was a Resolution passed by the Constituent Assembly of Jammu & Kashmir unanimously, and I am quoting from that Resolution of 17th November, 1956. The Resolution says—and I quote: "Jammu & Kashmir is and shall be an integral part of the Union of India." This Government of India did not say that this Resolution was passed by the Constituent Assembly unanimously and so the matter is settled. But, how that integration is possible is what is more important. That is possible on the basis of building the trust among the people of Kashmir, which has always been said and it has to be done. I am telling you how it will be done. There are certain examples of integration and since it has not been pointed out by any of the hon. Members, I must state that.

एक कश्मीरी की हिन्दुस्तान की तमाम मुतलिफ हिस्सों में जितनी इज्जत होगी, उतनी ही ज्यादा हमारी इज्जत कश्मीर की घाटी में बढ़ेगी। यह सबसे जरूरी बात है, जिसका ख्याल रखना चाहिए। उस ज़माने में जब एक शॉल बेचने वाला हमारे कस्बे में पहुंचता था, तो जिस तरह उसकी इज्जत होती थी, जिस तरह मोहब्बत का एक माहौल था, देश के हिस्सों में वह बिगड़ रहा है। आज जो

सुलूक कश्मीर के स्टूडेंट्स के साथ हिन्दुस्तान के तमाम हिस्सों में हो रहा है, होम मिनिस्ट्री को इस संबंध में जांच करनी चाहिए कि तमाम प्राइवेट कॉलेजेज में कश्मीर से आने वाले स्टूडेंट्स के ब्यौरे बनाए जा रहे हैं। जवाहरलाल नेहरू यूनिवर्सिटी दिल्ली में ही है, जो, unfortunately, भारत की अकेली यूनिवर्सिटी है, जिसमें हिन्दुस्तान के हर सूबे से स्टूडेंट्स आते हैं। ऐसे तो सभी यूनिवर्सिटीज में आना चाहिए। दिल्ली यूनिवर्सिटी, जवाहरलाल नेहरू यूनिवर्सिटी से कई गुना बड़ी यूनिवर्सिटी है, वहां भी तमाम सूबों से स्टूडेंट्स आते हैं, लेकिन वहां यह compulsory नहीं है कि हर सूबे का स्टूडेंट होना जरूरी है। यह जवाहरलाल नेहरू यूनिवर्सिटी में है। वहां आज कश्मीरी स्टूडेंट्स को शक की नज़र से देखा जा रहा है। ऐसे में आपका मामला कैसे चलेगा? कश्मीरी पर यकीन, और वहीं से शुरू होगा यह मसला, जिसका जिक्र अभी डा. कर्ण सिंह भी करेंगे और मैं उनसे सुनूंगा। मैं कश्मीर पर 1984 से लगातार बात कर रहा हूँ। कॉमरेड हरकिशन सिंह सुरजीत, जिन्होंने कश्मीर की समस्या का बहुत अध्ययन किया था, उन्होंने कश्मीरियत क्या है, इसके बारे में कई जगह लिखा? कश्मीरियत तमाम कल्चर्स का मेल है। It is a synthesis of various cultures and faiths. कश्मीर के बगैर यह पूरी सूफी विरासत आपके पास नहीं होती, यह तहज़ीब नहीं होती। कश्मीर के बगैर बाणभट्ट की 'कादम्बिनी' नहीं होती। मैं महाराष्ट्र से एमपी हूँ और वहां मराठी भाषा में नाँवेल को कादम्बिनी कहा जाता है। इसलिए मेरी सरकार से अपील है कि पहले तो डायलॉग शुरू कीजिए, all-party meeting बुलाइए, लोगों को वहां भेजिए। मैं दूसरी बात जो कहना चाहूंगा, जिसका जिक्र तमाम वक्ताओं ने नहीं किया है, लीडर ऑफ द अपोजिशन ने किया था।

हमारे पूर्व प्रधान मंत्री, माननीय मनमोहन सिंह जी की अगुवाई में confidence-building measures के लिए across the sections of Kashmiri society जो वर्किंग ग्रुप बने थे, जिसका जिक्र अभी सीताराम येचुरी जी कर रहे थे, उसका जिक्र लीडर ऑफ द अपोजिशन ने भी किया, और लोगों ने भी किया, जिसकी सदारत हमारे चेयरमैन, हामिद अंसारी साहब ने की थी। आप यह देखिए कि वह कितना efficient working group था कि उसको मई, 2006 में form किया जाता है और 10 जनवरी, 2007 को वह अपनी रिपोर्ट सौंप देता है। उसमें जो recommendations हैं, उनमें सबसे जरूरी recommendation यह है कि डायलॉग बंद नहीं होना चाहिए। बातचीत का रास्ता कभी बंद नहीं होना चाहिए। ...(समय की घंटी)... जब तक हम यह नहीं चलाएंगे, तब तक हम लोगों का विश्वास कैसे जीतेंगे? इसलिए डा. मनमोहन सिंह के यूपीए-1 और यूपीए-11 में confidence-building measures के लिए जो कदम उठाए गए थे, उनको इस सरकार को लागू करना चाहिए। ...(समय की घंटी)...

सर, मैं तीसरी जरूरी बात यह कहना चाहता हूँ कि तमाम पॉलिटिकल पार्टिज़ को और पूरे हाउस को मौजूदा चुनी हुई सरकार, जो मोहतरमा मेहबूबा मुफ्ती की अगुवाई में चल रही है, उसको इस crisis से निपटने के लिए पूरी तरह सपोर्ट करना चाहिए, पूरी मदद करनी चाहिए। ...(समय की घंटी)... यह बहुत ही जरूरी बात है। चूंकि घंटी बज चुकी है और हम लोगों को तो वक्त मिलता नहीं है, चाहे मसला कितना ही अहम हो, इसलिए आखिर में मैं सिर्फ दो बातें बहुत मुख्तसर में कह देता हूँ। कश्मीर के the great people's poet, philosopher and humanist, Peerzada Ghulam Ahmad Mahjoor उन्होंने लिखा है, अंग्रेज़ी का तर्जुमा मुझे याद आ रहा है, उनकी मशहूर नज़म है "आज़ादी"। "आज़ादी" में उन्होंने क्या लिखा है, "Strength lies not in severe reprisals, nor in cruel revenge."

[Shri D.P. Tripathi]

You can win over bitterest force with the force of love alone." दूसरा, जो आज के हालात में बहुत मौजू हैं, उनकी ही नज़म से है, ये दो मिसरे जो बहुत जरूरी हैं, जिनका मैं अंग्रेज़ी तर्जुमा कर देता हूँ। "Naive indeed is your faith to see. As saviours and redeemers interloping birds" ये बाहर से आने वाले interloping birds that burn with envy of your lot. और आखिर में कश्मीर के मशहूर शायर ज़नाब रसूल मीर साहब, जो आज हम सब लोगों को करने की जरूरत है, एक मिसरे में वह कह गए, I have to tend the fire of love each day." Thank you very much.

MR. DEPUTY CHAIRMAN: Thank you very much. Now, Shri Swapan Dasgupta.

SHRI SWAPAN DASGUPTA (Nominated): Mr. Deputy Chairman, Sir, thank you very much for allowing me to speak in this debate, which is my first substantive intervention. I hope you will treat it as a maiden speech.

MR. DEPUTY CHAIRMAN: No, no; you have already made.

SHRI SWAPAN DASGUPTA: Sir, that was during the Short Duration...

MR. DEPUTY CHAIRMAN: Short or long...

SHRI SWAPAN DASGUPTA: I hope, you will have the generosity. Sir, today, it has been a very heartening experience...

MR. DEPUTY CHAIRMAN: I will tell you about the time so that you can prepare like that. Even though your time is five minutes, I am ready to give you two-three minutes more. So, you can take between seven and eight minutes.

SHRI SWAPAN DASGUPTA: Okay. Sir, I think, today was a very heartening experience in terms of seeing a cross-section of the House, the entire political class as well as people from really all the regions of India actually express their concern, their agony over the happenings in Kashmir, whether it is the curfew, whether it is the deaths and whether it is the general sufferings of both the people as well as the armed personnel. But, Sir, I think there is another task of Parliament, which is, while we try to evolve a national consensus on this pressing issue, we should sometimes be brutally frank about what exactly we are dealing with. I think it is important to realize that the problem which we face in Kashmir today is somewhat qualitatively different from some of the problems which we faced earlier. Kashmir is not new to political turbulence. We have had it during the time of Sheikh Abdullah; we have had it as a consequence of the rather dodgy elections of 1987; we saw the most heinous form of ethnic cleansing which took place in Kashmir in 1990-91; and we saw a bout of terrorism. What marks this is a different one.

Three months ago, as most people have admitted, Kashmir was tranquil. We had a unique political experiment, not merely that the PDP and the BJP came together, but it was in a sense an alliance between the Valley and Jammu; a geographical alliance between the two; something which was quite unique, and something which was very, very encouraging. Then, something broke loose. I am a bit surprised and disheartened that people have not referred to what was the immediate provocation which actually resulted in the spate of curfews and in the spate of demonstrations. That was the death of Burhan Wani. Now, the death of any Indian should be a source of anguish to all of us. The unfortunate point is: Number one, Burhan Wani never considered himself an Indian. Number two, what do you say about a person who actually flashes his Kalashnikov, puts it on Facebook, and actually tends to glamorize terrorism for everybody. Should we romanticize such a person, as some people want to do? Or should we say, 'Now, this was an encounter, unfortunate as it may be, which happens if we have to maintain the sanctity of the process?' I think, it is very, very important because the people have taken to the streets. A lot of them may be spontaneous, a lot of them may be saying that it is tragic, that a young boy has been killed, but there has also been a lot of motivation. Let us not forget, there was a large degree of premeditation on the part of various people, the type of slogans, the type of tweets which have been there. Now, yesterday, for example, a former Chief Minister, whose name I shall not mention, gave an interview. I think, he gave an interview more in the nature of political analyst rather than as a politician. I hope so, at least. Referring to the Prime Minister's generosity, appealing to the Prime Minister's sense —the same issues which Atal Behari Vajpayee raised — he said that the *azadi* that the Prime Minister spoke of is not the *azadi* that the protestors want. They want *azadi* from India. Now, I presume he was speaking as a political analyst, not as someone who is a participant, who endorses that. This is in context of a very nice list of development works which the hon. Leader of the Opposition presented and which all political parties across the board have said. Here, he again goes on to say, 'That I am disappointed that Narendra Modi presented Kashmir as a development issue. Boys throwing stones don't want laptops.' Now, Sir, this is a very grave issue. We have been talking about development, we have been talking about healing hearts, we have been talking about a sense of equality, prosperity etc. and unfortunately, we have come across a rather big emotional divide. I don't want to go into this entire question of Article 370. It is a contentious issue, I realise, but at that time, it was thought that giving special status to Article 370 would facilitate the process of integration. There were others who thought differently. It would seem today that Article 370 or, it may not be Article 370, the mere call for pre-1953 status etc. etc. may have actually hardened rather than facilitate the process of integration. It may have created an emotional schism and that is a very deep issue, the issue of emotional schism. Today we are faced with a very,

[Shri Swapan Dasgupta]

very grave issue of all the reports on the ground. I just want to mention one particular report which came, which was quoting about a meeting in Qaimoh, which is the main market of Kulgam district, of what one person of the Hurriyat Conference said. This is what he said, "We are all together and we will fight for Azadi. India wants to establish *Pandit* colonies here, India wants to set up *Sainik* colonies and we are not feeling safe in Kashmir." This is a complete travesty of reality, but this is the type of propaganda which is going on there, which has been fuelled from across the border by having special trains going from Lahore, which is carrying exaggerated pictures of boys dressed up in bandages saying that we have got pellets. This is the type of gruesome incidents there. Therefore, while agreeing with Shri Sitaram Yechury that we need a political approach to this, I would like to say that what form of political approach and when is a very, very important question. According to community mythology, political power is seized in two ways. But one of the first methods is by establishing, what they call, dual power. It means, there must be a challenge to the legitimacy of the State by creating parallel authorities. And, today, in Kashmir, we are seeing precisely that is happening — an attempt to create dual power. Sharad Yadavji spoke very well about how this message spread to villages. And, that is precisely what it means. Therefore, when we talk about initiating a political dialogue, when we talk about sending all-party missions to Kashmir, yes, certainly, it must be done. But, let us remember that it cannot be done if we have to tie the hands of the Executive and restrict their operational freedom to, actually, conduct what is necessary, because the threat we face today is qualitatively different. It is not a mere question of autonomy or it is not a question of pre-1953 status. I am glad that Shri Narasimha Rao had said 'sky is the limit' which you have referred here. The question is, here is a threat, an orchestrated terrorist threat to, actually, integrated it in Pakistan. That is what it is all about. Sir, glorification of terrorism, bleeding hearts that we see in the media are all willy-nilly, actually, succumbing to those designs and not realizing that, sometimes, to actually maintain the integrity of India we have to do certain harsh things. But harshness is only to facilitate a process of greater love.

Thank you.

**RE. DEMAND FOR RULING IN RESPECT OF HOLDING MEETINGS OF
COMMITTEES DURING THE SESSION OF PARLIAMENT**

SHRI DEREK O'BRIEN: Sir, I seek your protection.