

introduce a Bill further to amend the Constitution of India.

The question was put and the motion was adopted.

DR. K. V. P. RAMACHANDRA RAO : Sir, I introduce the Bill.

The Declaration of Countries as Sponsor of Terrorism Bill, 2016 — Contd.

MR. DEPUTY CHAIRMAN: Now, we were considering the Bill by Shri Rajeev Chandrasekhar, and Shri Ananda Bhaskar Rapolu was speaking. Mr. Rapolu, was your speech over or do you want to continue the speech?

SHRI ANANDA BHASKAR RAPOLU (Telangana): I have to continue my speech.

MR. DEPUTY CHAIRMAN: Okay. But remember the time allotted to the Bill is two hours and time already taken is twenty-two minutes. Mr. Ananda Bhaskar Rapolu, you can speak for ten minutes and not more than that. Okay, you speak.

SHRI ANANDA BHASKAR RAPOLU: Respected Deputy Chairman, Sir, I was in the midway of my speech while there was a break. To continue my submission on the Private Members' Bill moved by Shri Rajeev Chandrasekhar, to begin with, I pay homage to the Indian martyr, Srinivas Kuchibhotla, who shed his blood on the American soil to highlight the gradually spreading hatred that could even take the shape of terror. His bereaved wife, Sunayna Dumala, while grieving and crying, asked on the soil of America at Kansas, "Whether I belong to this land or not, *i.e.*, America?" It has sensated whole of the world, and the Kansas killing has drawn the attention of the enlightened citizenry of globe to think about humanity and accommodativeness. Secondly, I take another important mention and salute Insha Mushtaq, the 15 year old girl studying in 9th class, the native child of Shopian, just 70 kilometres away from Srinagar, who got blinded with the unleash of the pellet guns about eight about months ago in July, 2016. She got completely blinded, but, bravo, that child has thronged to her school at Shopian, recently, to pursue and continue her studies. Her new incapacity has given her a challenge and she is ready to continue her studies even with her latest blindness and she is becoming another Malala Yousafzai. On this occasion, there is a submission from the Indian side for announcing the neighbourhood as the terror sponsorer. How are we moving towards that? Though, we may not totally encourage and appreciate the approach of Donald Trump, the American President, but with his latest warning, what is happening on the other side of our borders; how are they tightening their nuts and bolts; how are they looking at their own civil rights and human rights? Within people all along the world, there is no difference. We always strive for equality and equity. We wish for an inclusive globe, but, at the same time, the increasing hatred is leading to

[Shri Ananda Bhaskar Rapolu]

terror, and unmindful terrorism is creating such havoc. But when the State and the Government itself is encouraging and sponsoring terror tacts and acts and running away from the opportunities without having the diplomatic decency, then the necessity of the diplomacy and the shrewdness of the diplomacy will get highlighted. In this context, from our Indian side, where exactly do we stand? How attentive are we on our diplomatic mission? How are we having our bilateral relations? How are we positioning ourselves on the wealth? Have we ever considered on the economic and trade fronts first to impose sanctions and to declare a nation as an enemy State? As far as our information and knowledge are concerned, the Indian Government is not at all having the assessment criteria to look at from that angle whether to put at rest already established trade pacts and put certain agreements at a standstill and to announce any State as an enemy State. Until and unless we focus on trade and economic sanctions between the countries, the yield of any effort will be very meagre. Those are examples available across the globe. But my friend, Shri Rajeev Chandrasekhar is asking for declaration of the neighbouring country, Pakistan as a terrorist State. The Indian Government doesn't have the basic formula to look at the economic and trade sanctions, and to bring certain pacts and agreements to a standstill. Take the irrigation agreement between the two countries, or, any other inter dependence pact. When you are not ready to look at those things, straightaway announcing a neighbouring State as a terrorist State is going to pose a bigger challenge between people to people of the Indian sub-continent. We are having our own affinity. We are having cultural, religious and traditional affinities across the communities.

MR. DEPUTY CHAIRMAN: Okay, conclude.

SHRI ANANDA BHASKAR RAPOLU: At the same time, Pakistan is always looking at our country in a way which will create hurdles and hurt our expectations. But that country is being promoted by several other countries. When we look at the tightening of the environment linked with Pakistan and other nations which are promoting Pakistan, it will be a futile exercise to announce Pakistan as a terrorist State and is not going to yield any result. However, I understand and appreciate the concern of the hon. Member, Shri Rajeev Chndrasekhar about the need to focus on the impending complications that are prevalent across the border to harmonise and attain the peace between the two nations. This is a priority subject for the Union Government to look at the latest condition and with the diplomatic shrewdness. Thank you very much.

MR. DEPUTY CHAIRMAN: Now, Dr. Subramanian Swamy, not present. Shri K. T. S. Tulsi.

SHRI K. T. S. TULSI (Nominated): Sir, I am not opposed to the Bill. But I am a bit uncertain of its practical utility. So, I want to place my doubts before the House that a Bill, in essence, seeks to declare the States which sponsor or support a terrorist act, directly or indirectly, as a terrorist State, and withdraw economic and trade links with such nations. But I do not know whether this Bill by itself can achieve anything. The States always have the power to impose legal, economic or travel sanctions. Even without this Bill, States have the executive authority; if they think that it is in the national interest, it can always be done.

It is, of course, well-known that Pakistan does more to enable terrorists than to fight them. The spy agency of Pakistan, ISI, has actively supported various militant groups in Kashmir. There are three such groups, Harkat-ul-Mujahideen, Lashkar-e-Taiba and Jaish-e-Mohammad. The United States has already declared these to be terrorist organisations. Yet, Pakistan continues with its activities. We can't forget the attack on the Indian Parliament on the 13th of December, 2001, the twin-car bombings in Dubai and the Mumbai attack on 26th November, 2009 in which 160 people were killed. There have been enough provocations, but it was not considered necessary, simply because a mere declaration does not achieve anything. India took solid action in each of these; whatever was necessary to be done was done.

Now, I believe, this Bill has been proposed in the wake of Uri. I really feel, if this Bill is capable of doing anything in the direction of increasing the international pressure and to unite in the fight against terror, I would welcome it. But we have seen that various countries have taken action against Pakistan, suspended economic and military aid to Pakistan and, yet, terrorists continue to be sponsored by them. For instance, United States took direct action in the case of sanctuary given to Osama Bin Laden. So, it is the action that is required. India has similarly taken adequate action, whatever action was required.

So, I don't know whether a mere declaration of a particular State would make a difference. Yes, if it was being considered by a block of nations, then, it might be a different matter. But, I doubt, our declaring a particular State as a terrorist State would make any difference. These organisations are already 'declared' terrorist organisations by the United States. So, we need to consider as to what is going to be the practical utility of a Bill like this.

श्री जावेद अली खान (उत्तर प्रदेश): माननीय उपसभापति जी, यह बिल पाकिस्तान को आतंकवाद प्रायोजक देश घोषित करने के उद्देश्य से जो हमारे माननीय सदस्य राजीव जी ने प्रस्तुत किया है, मैं इस बिल पर अपनी पार्टी की तरफ से राय रखने के लिए खड़ा हुआ हूँ। यह बात सत्य है कि पाकिस्तान के साथ भारत के जो संबंध वर्तमान में हैं या अतीत में रहे हैं, उनमें पाकिस्तान की तरफ से लगातार ऐसी हरकतें होती हैं, जिनसे वे संबंध प्रभावित होते हैं

[श्री जावेद अली खान]

3.00 P.M.

और हमारी जो इच्छा पड़ोसी देशों के साथ अच्छे संबंध बनाने की है, उसमें अवरोध आता है। जहां तक आतंकवाद का सवाल है, इसमें भी कोई दो रायें नहीं हैं कि भारत के अंदर अधिकांश आतंकवादी गतिविधियां पाकिस्तान की जमीन से संचालित होती हैं, उन संगठनों के द्वारा संचालित होती हैं जो पाकिस्तान में रह करके अपनी कार्यवाहियों को अंजाम देते हैं, लेकिन जब हम संसद में कोई कानून बनाते हैं, कोई एक्ट पास करते हैं तो उसका प्रथम उद्देश्य यह होता है कि इससे हम कोई सफलता हासिल कर पाएंगे, अपने उद्देश्य को प्राप्त कर पाएंगे या नहीं। यह बिल, जो माननीय सदस्य ने यहां प्रस्तुत किया है, अगर यह पास भी हो जाता है तो मुझे नहीं लगता कि भारत आतंकवाद को रोकने की दिशा में कोई कारगर कदम उठा पाएगा। हम जानते हैं कि पाकिस्तान की तरफ से जो गतिविधियां हो रही हैं, वे हमारे देश के विरोध में हैं, हमारे देश को विखंडित करने के लिए हैं और हम अगर कोई कानून बनाकर, सख्त कानून बनाकर इस बात का ऐलान करते हैं, तो निश्चित रूप से हम इस बात पर अपनी सहमति व्यक्त करते हैं कि अंतर्राष्ट्रीय स्तर पर, संयुक्त राष्ट्र संघ में या दुनिया का जनमत बनाने में हमारे कूटनीतिक प्रयास विफल हो गए हैं और अब हम सारी उम्मीदें छोड़ चुके हैं, इसलिए हम पाकिस्तान को अब आतंकवादी राष्ट्र घोषित करना चाहते हैं। इससे हमारा कोई मकसद पूरा नहीं हो सकता। हमारा मकसद तब पूरा होगा, जब विश्व का जनमत पाकिस्तान को आतंकवादी गतिविधियां रोकने के लिए मजबूर करे। हम जानते हैं कि अकेले हमारे घोषित करने से, कि पाकिस्तान एक आतंकवादी राष्ट्र है या आतंकवाद का प्रायोजक राष्ट्र है, मसला हल नहीं होता — हम तो कर देंगे, लेकिन क्या दूसरे देश, क्या अमेरिका ऐसा करेगा? आजकल, जब से unipolar world हुआ है, यहां से दूसरी शक्ति का संतुलन जब से खत्म हुआ है, तब से कोई भी अंतर्राष्ट्रीय फैसला लेने के लिए या ऐसा फैसला लेने के लिए, जिसका अंतर्राष्ट्रीय प्रभाव होता है, अमेरिका की तरफ सभी लोग नज़र उठाकर देखते हैं। हम घोषित कर देंगे, लेकिन क्या हम अमेरिका को मजबूर कर पाएंगे कि वह पाकिस्तान के खिलाफ इस प्रकार की आर्थिक नाकेबंदी या उसे मजबूर करने के प्रयास करे, जैसा हम करना चाहते हैं? अभी हाल ही के वर्षों में चीन के साथ भी हमारे बहुत मधुर संबंध हुए हैं। चीन और पाकिस्तान का आज जो गठजोड़ हो रहा है, इस क्षेत्र के अंदर आज पाकिस्तान जो कुछ कर रहा है, वह अकेले करने की स्थिति में नहीं है। पाकिस्तान के अंदर इतनी हिम्मत या इतना बूता नहीं है कि वह अकेले भारत के खिलाफ इस तरह की घटनाओं को अंजाम दे सके। कहीं न कहीं पाकिस्तान को चीन का मूक समर्थन प्राप्त है और कहीं न कहीं पाकिस्तान के सिर पर अमेरिका का हाथ है। तो हम लोगों को इस बात पर भी गौर करना पड़ेगा कि क्या ऐसा विधेयक पास करने से, ऐसा कानून बनाने से हम अपने मकसद में सफल हो रहे हैं या नहीं हो रहे? मुझे नहीं मालूम कि किसी राष्ट्र को आतंकवादी देश घोषित करने के बारे में कितने देशों ने कानून बना रखा है। मैंने जो जानकारी हासिल की, उसके मुताबिक अमेरिका में तो ऐसा कानून है, जिससे वे दूसरे देशों को आतंकवादी राष्ट्र घोषित करते हैं। उनके अनुभव से भी हमें कुछ सीखने की जरूरत है। आज तक उन्होंने कितने देशों को आतंकवादी राष्ट्र या आतंकवाद प्रायोजक राष्ट्र घोषित किया है। वर्तमान में तो तीन देश उनकी सूची में हैं, लेकिन उससे पहले उन्होंने क्यूबा को आतंकवादी राष्ट्र घोषित किया था, इराक को घोषित किया था, लीबिया, नॉर्थ कोरिया और साउथ यमन को भी घोषित किया था। जब उन्होंने क्यूबा को आतंकवादी राष्ट्र घोषित किया, तब उसके बावजूद दुनिया के अनेक देश, बल्कि मैं कहूंगा कि विश्व का विशाल जनमत

ک्यूبا کے ساتھ خدایا ہوا تھا۔ ک्यूبا کو isolate کرنے کے بجائے ک्यूبا کے سوال پر ویشو جنمات کی نجر میں امریکا خود isolate ہوا تھا۔ امریکا کو ک्यूبا کی آرٹیک ناکہبندی کرکے کوئی لاہا ہاسیل نہیں ہوا، اس سمان ک्यूبا کا ہلے ہی آوڑا-بہت نوسان ہو گیا ہو۔ میں آو یہاں آک جاننا آوں کی آاتکواوی راسٹر آویش کرانے کے باا ک्यूبا کے آیلاف آب انہوں نے آرٹیک ناکہبندی لگایا ...**(سامی کی آنٹی)**... آو اونیاء کے بہت سے ایشوں نے اسکو سمارٹن ایا اور اسکے یہاں آرٹیک ناکہبندی کے آو اوشاا پڑ رہے آے، اسکے آیلاف آہی آے آڈے ہوا۔ ہمارے آارت سے ہی بہت سارے راننئیک الوں نے، ریر-سرااری سناٹوں نے اور ران آسراوں نے آہی آہاآ کے آہاآ رساا کے روپ میں وہاں پر آہے آے۔ ...**(سامی کی آنٹی)**... سر، میں اک میناٹ اور لوںا۔ آو ہمیں یہ آہنا آروری آے کی اگر ہم کسی ایش کو آاتکواوی راسٹر آویش کرتے آے، آو اسسے ہمارا کوئی اااا سافل ہو رہا آے یا نہیں ہو رہا؟

اوسری باا، میں یہ آہنا آاہنا آوں کی آا آکلا پاکسٹان نہیں آے، آو آاتکواوی گانیاااوں کو اپنی آمین سے سناالیا کرنے کی آآاآاا ااا آے۔ اس اونیاء کے اااا اک ایش آے، آیسکا ناں آآرااآل آے۔ آآرااآل آا اونیاء میں، آاس آور سے پشام ایشیا میں، مای ایشیا میں آاتکواا کا آورے کا آورا ...**(سامی کی آنٹی)**.... آانے آہی ایشوں کی آیماء آآرااآل سے میلآی آے....

† آناآ آااا علی آان (اآرپرااا): مانئہ اپ سبهاآی آہی، یہ بل پاکسٹان کو آنک واا پراااآک ایش آھوش کرانے کے ا ایش سے آو ہمارے مانئے ساسے راجاا آہی نے پیش کیا آے، میں اس بل پر اپنی پارٹی کی طرف سے رائے رکھنے کے لیے آھڑا ہوا ہوں۔ یہ باا سآہ آے کہ پاکسٹان کے ساآہ آہارت کے آو سمبناہ ورقمان میں آہی یا اآیا میں رہے آہی، ان میں پاکسٹان کی طرف سے لگاآار اسی حرکتیں ہوتی آہی، آن سے وہ سمبناہ پربھااا ہوتے آہی اور ہماری آو آھا پڑوسی ایشوں کے ساآہ آھے سمبناہ بنانے کی آے، اس میں اوروا آا آے۔ آہاں آک ا آنک واا کا سوال آے، اس میں آہی کوئی اا رائے نہیں آے کہ آہارت کے اااا ااھیکانشا آنک واا آگی وااھیاں پاکسٹان کی زمین سے سناآل ہوتی آہی، اس سناآھنوں کے اریعہ سناآل ہوتی آہی آو پاکسٹان میں رہے کرکے اپنی کارروائیاں کو انآام ایتے آہی، لیکن آب ہم سناا میں کوئی قانون بناتے آہی، کوئی ایکٹ پاس کرتے آہی آو اس کا پراآہم ا ایش یہ ہوتا آے کہ اس سے ہم کوئی سفلآا آاصل کرپائیں آے، اپنے ا ایش کو آاصل کرپائیں آے یا نہیں۔

یہ بل، آو مانئے ساسے نے یہاں پیش کیا آے، اگر یہ پاس آہی ہواآا آے آو آھے نہیں لگآا کہ آہارتا آنک واا کو روکنے کی ااا میں کوئی کارگر اام اٹھاپائے آا۔ ہم آانآے آہی کہ پاکسٹان کی طرف سے آو آگی وااھیاں ہورہی آہی، وہ ہمارے ایش کے ورواہ میں آہی، ہمارے ایش کو وکھنڈا کرنے کے لیے آہی اور ہم اگر کوئی قانون بناکر، سآا قانون بناکر اس باا کا اعلان کرتے آہی، آو نساآا

† Transliteration in Urdu script.

[श्री जावेद अली खान]

روپ سے ہم اس بات پر اپنی سہمتی ویکت کرتے ہیں کہ انٹراشٹریہ ستر پر سنیکت راشٹر سنگھ میں یا دنیا کا جنمت بنانے میں ہمارے کوٹ نیتیک پریاس وفل ہوگئے ہیں اور اب ہم ساری امیدیں چھوڑ چکے ہیں، اس لیے ہم پاکستان کو اب ا تنک وادی راشٹر گھوشت کرنا چاہتے ہیں۔ اس سے ہمارا کوئی مقصد پورا نہیں ہو سکتا۔ ہمارا مقصد تب پورا ہوگا، جب وِشو کا جنمت پاکستان کو تنک وادی گتی وِدهیاں روکنے کے لیے مجبور کرے۔ ہم جانتے ہیں کہ اکیلے ہمارے گھوشت کرنے سے، کہ پاکستان ایک تنک وادی راشٹر ہے، مسئلہ حل نہیں ہوتا۔ ہم تو کردیں گے لیکن کیا دوسرے دیش، کیا امریکہ ایسا کریگا؟ ا ج کل جب سے unipolar world ہوا ہے، یہاں سے دوسری شکتی کا سنت اُن جب سے ختم ہوا ہے، تب سے کوئی بھی انٹراشٹریہ فیصلہ لینے کے لیے یا ایسا فیصلہ لینے کے لیے، جس کا انٹراشٹریہ پرہاؤ ہوتا ہے، امریکہ کی طرف سبھی لوگ نظر اٹھا کر دیکھتے ہیں۔ ہم گھوشت کردیں گے، لیکن کیا ہم امریکہ کو مجبور کرپائیں گے کہ وہ پاکستان کے خلاف اس پرکار کیا رتھک ناکہ بندی یا اسے مجبور کرنے کے پریاس کرے، جیسا ہم کرنا چاہتے ہیں؟ ابھی حال ہی کے ورشوں میں چین کے ساتھ بھی ہمارے بہت مڈھر سمبندھ ہوئے ہیں۔ چین اور پاکستان کا ا ج جو گٹھ جوڑ ہو رہا ہے، اس شیت کے اندر ا ج پاکستان جو کچھ کر رہا ہے، وہ اکیلے کرنے کی استھتی میں نہیں ہے۔ پاکستان کے اندر اتنی ہمت یا اتنا بوطا نہیں ہے کہ وہ اکیلے بھارت کے خلاف اس طرح کی گھٹناؤں کو انجام دے سکے۔ کہیں نہیں کہیں پاکستان کو چین کا موک سمرتنہن پرپت ہے اور کہیں نہ کہیں پاکستان کے سر پر امریکہ کا ہاتھ ہے۔ تو ہم لوگوں کو اس بات پر بھی غور کرنا پڑیگا کہ کیا ایسا وِدهیک پاس کرنے سے، ایسا قانون بنانے سے ہم اپنے مقصد میں کامیاب ہو رہے ہیں یا نہیں ہو رہے ہیں؟ مجھے نہیں معلوم کہ کسی راشٹر کو ا تنک وادی دیش گھوشت کرنے کے بارے میں کتنے دیشوں نے قانون بنا رکھا ہے۔ میں نے جو جانکاری حاصل کی، اس کے مطابق امریکہ میں تو ایسا قانون ہے، جس سے وہ دوسرے دیشوں کو ا تنک وادی راشٹر گھوشت کرتے ہیں۔ ان کے تجربہ سے بھی ہمیں کچھ سیکھنے کی ضرورت ہے۔ آج تک انہوں نے کتنے دیشوں کو ا تنک واد راشٹر یا ا تنک واد پرایوجک راشٹر گھوشت کیا ہے۔ ورقمان میں تو تین دیش ان کی لسٹ میں ہیں، لیکن اس سے پہلے انہوں نے کیوبا کو ا تنک وادی راشٹر گھوشت کیا تھا، عراق کو گھوشت کیا تھا، لیبیا، نارتنہ کوریا اور ساؤتھ یمن کو بھی گھوشت کیا تھا۔ جب انہوں نے کیوبا کو ا تنک وادی راشٹر گھوشت کیا، تب اس کے باوجود دنیا کے انیک دیش، بلکہ میں کہوں گا کہ وِشو کا وِشال جنمت کیوبا کے ساتھ کھڑا ہوا تھا۔ کیوبا کو isolate کرنے کے بجائے کیوبا کے

سوال پر وِشو جنمت کی نظر میں امریکہ خود isolate ہوا تھا۔ امریکہ کو کیوبا کی ا رتھک ناکہ بندی کر کے کوئی لابلہ حاصل نہیں ہوا، اس وقت کیوبا کا بھلے ہی تھوڑا بہت نقصان ہو گیا ہو۔ میں تو یہاں تک جانتا ہوں کہ ا تنک وادی راشٹر گھوشت کرنے کے بعد کیوبا کے خلاف جب انہوں نے ا رتھک ناکہ بندی لگائی --- (وقت کی گھنٹی) --- تو دنیا کے بہت سے دیشوں نے اس کو سمرتھن دیا اور اس کے یہاں ا رتھک ناکہ بندی کے جو دوش پر بھاؤ پڑ رہے تھے، اس کے خلاف بھی وہ کھڑے ہوئے۔ ہمارے بھارت سے ہی بہت سارے راجنیتک دلوں نے، غیر سرکاری سنگٹھنوں نے اور راجیہ سرکاروں نے بھی جہاز کے جہاز رسد کے روپ میں وہاں پر بھیجے تھے۔ --- (وقت کی گھنٹی) --- سر، میں ایک منٹ اور لونگا۔ تو ہمیں یہ دیکھنا ضروری ہے کہ اگر ہم کسی دیش کو ا تنک وادی راشٹری گھوشت کرتے ہیں تو اس سے ہمارا کوئی ا دُیش سفل ہو رہا ہے یا نہیں ہو رہا ہے؟

دوسری بات، میں یہ کہنا چاہتا ہوں کہ آج پاکستان نہیں ہے، جو آتک وادی گتی - ودھیوں کو اپنی زمین سے سنجالت کرنے کی اجازت دیتا ہے۔ اس دنیا کے اندر ایک دیش ہے، جس کا نام اسرائیل ہے۔ اسرائیل آج دنیا میں، خاص طور سے پچھم ایشیا میں، مدھیہ ایشیا میں آتکواد کا پورے کا پورا، --- (وقت کی گھنٹی) --- جتنے بھی دیش دیشوں کی سیمائیں اسرائیل سے ملتی ہے۔

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI JAVED ALI KHAN: Sir, we are the third largest party, इसलिए हमें थोड़ा सा टाइम दीजिए।

† جناب جاوید علی خان: اس لئے ہمیں تھوڑا سا ٹائم دیجئے۔

श्री उपसभापति: आप conclude कीजिए। आप conclude कीजिए।

श्री जावेद अली खान: सर, इतनी हमारी उपेक्षा मत किया कीजिए। सर, हम थर्ड नम्बर की पार्टी हैं। इतनी उपेक्षा हमारी मत कीजिए।

† جناب جاوید علی خان: سر، اتنی ہماری اپیکشا مت کیجئے، سر، ہم تھرڈ نمبر کی پارٹی ہیں۔ اتنی اپیکشا ہماری مت کیجئے۔

श्री उपसभापति: आपकी पार्टी के लिए पूरे 9 मिनट का समय है। आपकी पार्टी से एक और सदस्य ने बोलना है। आप 7 मिनट बोल चुके हैं, बाकी दो मिनट का समय बचा है। श्री अमर सिंह ने नाम दिया है।

श्री जावेद अली खान: आपने मुझे 5 मिनट से ही रोकना शुरू कर दिया।

† جناب جاوید علی خان: آپ نے مجھے 5 منٹ سے ہی روکنا شروع کر دی

† Transliteration in Urdu script.

श्री उपसभापति: आप मेरी बात सुनिए।

श्री जावेद अली खान: सर, मैं कोई विशेष ज्यादा नहीं बोलता हूँ।

† جناب جاوید علی خان: سر، میں کوئی خاص زیادہ نہیں بولتا ہوں۔

MR. DEPUTY CHAIRMAN: Why do you argue with me?

श्री जावेद अली खान: मैंने तो देखा है...

† جناب جاوید علی خان: میں نے تو دیکھا ہے۔۔۔

MR. DEPUTY CHAIRMAN: It is not fair.

श्री जावेद अली खान: मैं तो कभी-कभी बोलता हूँ।

† جناب جاوید علی خان: میں تو کبھی کبھی بولتا ہوں۔

MR. DEPUTY CHAIRMAN: This is not fair.

श्री जावेद अली खान: मेरा दो मिनट का समय तो बाकी है।

† جناب جاوید علی خان: میرا دو منٹ کا وقت تو باقی ہے۔

MR. DEPUTY CHAIRMAN: No, this kind of argument with the Chair is not acceptable.

SHRI JAVED ALI KHAN: I respect the Chair.

MR. DEPUTY CHAIRMAN: Please listen. Your party has a total time of nine minutes. There are two speakers. How much time can you get? Five minutes.

SHRI JAVED ALI KHAN: Sir, my party has given only one name.

MR. DEPUTY CHAIRMAN: No, no; I have got one more. Is Mr. Amar Singh not in your party?

SHRI B. K. HARIPRASAD (Karnataka): No, Sir; he is not in the SP. ...*(Interruptions)*...

SHRI JAVED ALI KHAN: My party has given only one name.

MR. DEPUTY CHAIRMAN: Not in the SP? ...*(Interruptions)*... I am sorry.

SHRI JAVED ALI KHAN: Then, you should not say that I argue with the Chair.

MR. DEPUTY CHAIRMAN: Okay, then you may take two more minutes.

† Transliteration in Urdu script.

श्री जावेद अली खान: मैं यह कहना चाहता हूँ कि इज़राइल भी एक ऐसा देश है, जब हम कोई कानून बना रहे हैं, जब हम कोई पोजिशन ले रहे हैं एक ऐसे सवाल पर जिस पर पूरी दुनिया का ध्यान जाएगा, तो उसमें हमें बहुत संकीर्ण होकर अपना स्टैंड डिव्लेयर नहीं करना चाहिए। जहां तक भारत का सवाल है, उसके लिए यह जरूरी है, लेकिन भारत का ताल्लुक दुनिया के बहुत सारे देशों से रहा है और हमारे दोस्ताना संबंध हैं। अगर हमारे दोस्त और हमारे मित्र देश किसी दूसरे देश जो आतंकवादी घटनाओं को प्रायोजित कर रहा है, उससे आतंकित हैं या परेशान हैं, तो उसका भी गौर हमको करना चाहिए। इसलिए मैं चाहूंगा कि राजीव चंद्रशेखर जी का यह बिल अगर पास होता है इस सदन के द्वारा और हमारी पूरी संसद के द्वारा, तो जिस अनुसूची में आपने पाकिस्तान का नाम लिखा है, उस अनुसूची में मेहरबानी करके इज़राइल का नाम भी लिखा जाना चाहिए क्योंकि वह आतंकवाद को जन्म देने वाला देश है।

आखिरी बात, चूंकि आपने समय कम दिया है और जो दिया है, उसमें भी आपको मेरे बोलने से बहुत सुखद स्थिति नहीं लग रही है, इसलिए मैं अपनी बात खत्म करना चाहूंगा कि इस बिल को पास करने से हमारा क्या फायदा होगा, क्या नुकसान होगा? आज इसी संसद के अंदर एक हम दूसरे बिल पर चर्चा कर रहे हैं, उसकी प्रक्रिया जारी है, The Citizenship Amendment Act. यह हमारे दोनों सदनों की ज्वाइंट सेलेक्ट कमेटी के सामने विचाराधीन है। उसमें क्या स्थिति है? हम मानते हैं कि पाकिस्तान के अंदर धार्मिक आधार पर उत्पीड़न होता है, लोगों के साथ ज्यादती होती है, तो पाकिस्तान के जो लोग वहां धार्मिक उत्पीड़न के शिकार हैं, वे भारत में आएँ और उनको नागरिकता देने में हम शर्तों को सरल करें। जब हम एक देश को आतंकवादी घोषित कर देंगे, जैसा कि इसके उद्देश्य में लिखा हुआ है कि वहां के नागरिक यहां की यात्रा तक नहीं कर पाएंगे, बल्कि हमारे देश के ऊपर से वे उड़ भी नहीं पाएंगे, तो ऐसी स्थिति में हम उन लोगों के साथ भी अन्याय करेंगे। लिहाज़ा मैं यह चाहता हूँ कि उस बात पर भी हमें गौर करना चाहिए, जो हमारे देश के विद्वानों ने, हमारे देश के जो पूर्व नेता रहे हैं, उन्होंने कही थी। हम दुनिया से कैसे संबंध बनाना चाहते हैं और खास तौर से अपने पड़ोसी देशों के साथ कैसा संबंध बनाना चाहते हैं? डॉक्टर राम मनोहर लोहिया की बहुत मशहूर एक थ्योरी है कि हम भारत-पाकिस्तान का एक महासंघ बनाना चाहते हैं और जब बंगलादेश बन गया, तो इस देश के समाजवादियों ने इस बात को आगे बढ़ाया कि हम भारत-पाकिस्तान-बंगलादेश का महासंघ बनाकर के इस क्षेत्र को स्थायी शांति दे सकते हैं और इस बात को मैं ही नहीं, आज हमारी जो सरकार है, भारतीय जनता पार्टी की सरकार के जो वरिष्ठ नेता हैं, आज वे मार्ग दर्शक मंडल में हैं। मुझे याद है, जब मैं राजनीति में कार्य करता था और शुरुआती दौर में छात्र जीवन में था ...(समय की घंटी)...

† جناب جاوید علی خان: میں یہ کہنا چاہتا ہوں کہ اسرائیل بھی ایک ایسا دیش ہے جب ہم کوئی قانون بنا رہے ہیں، جب ہم کوئی پوزیشن لے رہے ہیں ایک ایسے سوال پر جس پر پوری دنیا کا دھیان جائے گا، تو اس میں ہمیں بہت سنکیرن ہوکر اپنا اسٹینڈ ڈکٹر نہیں کرنا چاہئے۔ جہاں تک بھارت کا سوال ہے، اس کے لئے یہ ضروری ہے، لیکن بھارت کا تعلق دنیا کے بہت سارے دیشوں سے رہا ہے اور

† Transliteration in Urdu script.

[श्री जावेद अली खान]

ہمارے دوستانہ سمبندھ ہیں۔ اگر ہمارے دوست اور ہمارے متر دیش کسی دوسرے دیش جو آتنک وادی گھٹناؤں کو پرایوجت کر رہا ہے، اس سے آتنکت ہیں یا پریشان ہیں، تو اس کا بھی غور ہم کو کرنا چاہئے۔ اس لئے میں چاہوں گا کہ راجیو چندر شیکھر جی کا یہ بل اگر پاس ہوتا ہے اس سدن کے ذریعے اور ہماری پوری سنسد کے ذریعے، تو جس انوسوچی میں آپ نے پاکستان کا نام رکھا ہے، اس انوسوچی میں مہربانی کر کے اسرائیل کا نام بھی لکھا جانا چاہئے کیوں وہ آتنک واد کو جنم دینے والا دیش ہے۔

آخری بات، چونکہ آپ نے وقت کم دیا ہے اور جو دیا ہے، اس میں بھی آپ کو میرے بولنے سے بہت سکھد استتھی نہیں لگ رہی ہے، اس لئے میں اپنی بات ختم کرنا چاہوں گا کہ اس بل کو پاس کرنے سے ہمارا کیا فائدہ ہوگا، کیا نقصان ہوگا؟ آج اسی سنسد کے اندر ایک ہم دوسرے بل پر چرچا کر رہے ہیں، اس کی پرکریا جاری ہے، The Citizenship Amendment Act. یہ ہمارے دونوں سدنوں کی جوائنٹ سلیکٹ کمیٹی کے سامنے وچاردھین ہے، اس میں کیا استتھی ہے؟ ہم مانتے ہیں کہ پاکستان کے اندر دھارمک آدھار پر اتپیڑن ہوتا ہے، لوگوں کے ساتھ زیادتی ہوتی ہے، تو پاکستان کے جو لوگ وہاں دھارمک اتپیڑن کے شکار ہیں، وہ بھارت میں آئیں اور ان کو ناگرکتا دینے میں ہم شرطوں کو آسان کریں۔ جب ہم ایک دیش کو آتنک وادی گھوشت کر دیں گے، جیسا کہ اس کے اڈیشے میں لکھا ہوا ہے کہ وہاں کے ناگرک یہاں کا سفر تک نہیں کر پائیں گے، بلکہ ہمارے دیش کے اوپر سے وہ اڑ بھی نہیں پائیں گے، تو ایسی استتھی میں ہم اس لوگوں کے ساتھ بھی، انیائے کریں گے۔ لہذا میں یہ چاہتا ہوں کہ اس بات پر بھی ہمیں غور کرنا چاہئے جو ہمارے دیش کے ودوانوں نے، ہمارے دیش کے جو سابق نیتا رہے ہیں، انہوں نے کہی تھی۔ ہم دنیا سے کیسے سمبندھ بنانا چاہتے ہیں اور خاص طور سے اپنے پڑوسی دیشوں کے ساتھ کیسا سمبندھ بنانا چاہتے ہیں؟ ڈاکٹر رام منوبر لوبیا جی کی بہت مشہور ایک تھیوری ہے کہ ہم بھارت پاکستان کا ایک مہا سنگھ بنانا چاہتے ہیں اور جب بنگلہ دیش بن گیا، تو اس دیش کے سماج وادیوں نے اس بات کو آگے بڑھایا کہ ہم بھارت - پاکستان - بنگلہ دیش کا مہا سنگھ بنا کر کے اس چھیتر کی

استھائی شانتی دے سکتے ہیں اور اس بات کو میں ہی نہیں، آج ہماری جو سرکار ہے، بھارتیہ جنتا پارٹی کی سرکار کے جو سینئر نیتا ہیں، آج وہ مارگ -درشک منڈل میں ہیں۔ مجھے یاد ہے، جب میں راجنیتی میں کام کرتا تھا اور شروعاتی دور میں چھاتر جیون میں تھا --- (وقت کی گھنٹی) ---

MR. DEPUTY CHAIRMAN: Please conclude.

श्री जावेद अली खान: उस वक्त लालकृष्ण आडवाणी जी ने भी इस बात की पैरोकारी की थी। पाकिस्तान और बंगलादेश का महासंघ बनाना चाहिए। यह एक धारणा रही है(व्यवधान)... जनमत की कि भारत और पाकिस्तान के संबंध ... (व्यवधान)... अच्छे होने चाहिए और ... (व्यवधान)...

† **جناب جاوید علی خان:** اس وقت لال کرشن ایڈوانی جی نے بھی اس بات کی پیروکاری کی تھی۔ پاکستان اور بنگلہ دیش کا مہاسنگھ بنانا چاہیئے۔ یہ ایک دھارنا رہی ہے۔ --- (مداخلت) --- اچھے بونے چاہیئے اور --- (مداخلت) ---

श्री उपसभापति: कृपया समाप्त कीजिए।

श्री जावेद अली खान: हमारा एक ऐसा गठजोड़ बनना चाहिए, जो एशिया ही नहीं बल्कि दुनिया में अपनी तरफ से शांति का प्रस्ताव दे सके। ... (व्यवधान)...

† **جناب جاوید علی خان:** ہمارا ایک ایسا گٹھ جوڑ بننا چاہیئے، جو ایشیا ہی نہیں بلکہ دنیا میں اپنی طرف سے شانتی کا پرستاؤ دے سکے۔ --- (مداخلت) ---

श्री उपसभापति: आप बैठिए, बैठिए। Okay, please conclude. आप बैठिए, बैठिए। श्री वि. विजयसाई रेड्डी ।

श्री जावेद अली खान: राजीव जी, मैं यह कहना चाहूंगा कि जहां तक आपके बिल का सवाल है, इस बिल की भावना बहुत अच्छी है कि आतंकवाद के खिलाफ लड़ाई होनी चाहिए, लेकिन इस तरीके के बिल का मुझे कोई लाभ नहीं लग रहा है, जब तक सरकार की इच्छाशक्ति न हो।

† **جناب جاوید علی خان:** راجیو جی، میں یہ کہنا چاہوں گا کہ جہاں تک آپ کے بل کا سوال ہے، اس بل کی بھاؤنا بہت اچھی ہے کہ آتک واد کے خلاف لڑائی ہونی چاہیئے، لیکن اس طریقے کے بل کا مجھے کوئی لاہ نہ ہیں لگ رہا ہے، جب تک سرکار کی اچھا شکتی نہ ہو۔

MR. DEPUTY CHAIRMAN: Mr. Vijayasai Reddy. Practically, how much time? Two-three minutes you take.

SHRI V. VIJAYASAI REDDY (Andhra Pradesh): Please give me seven minutes' time. I will not ask for more than that.

† Transliteration in Urdu script.

MR. DEPUTY CHAIRMAN: No, no, you can take three minutes.

SHRI V. VIJAYASAI REDDY: Five minutes, at least. I will quickly conclude, Sir.

MR. DEPUTY CHAIRMAN: All right, you take five minutes.

SHRI V. VIJAYASAI REDDY: Sir, the Bill, as introduced by Rajeev Chandrasekharji and as I have understood, is applicable to those countries which sponsor terrorism and should be declared as terrorist countries. This is the sum and substance of the Bill. I am only suggesting the Government and also trying to find out whether this Bill is *ultra vires* the Constitution of India. If it is going to violate the UN Charter or UN Conventions, probably, it will be *ultra vires* the Constitution. Therefore, I request the Government of India to look into that aspect. However, I may be permitted to highlight both positive and negative aspects of the Bill so that the Government of India will take care of these issues. In fact, YSR Congress Party, on behalf of our Party President, Jaganmohan Reddy Garu, supports this Bill. However, I would like to pinpoint certain issues which may go against the Government of India in case if this Bill is enacted and those issues can be taken care of. So, kindly give me five minutes from now onwards. It is like introduction.

MR. DEPUTY CHAIRMAN: After five minutes are over, you will say like this.

SHRI V. VIJAYASAI REDDY: Sir, since 1994, till now it is now 22 years, so far in these 22 years approximately about 25,000 civilians and about 10,000 security personnel have been killed because of the Paksponsored terrorism in India. It is a fact. Further, approximately 78,000 square kilometers of our own Indian land is in the illegal occupation of Pakistan as Pak Occupied Kashmir. Further, Sir, in Pakistan, leave about India, the religious minorities such as Hindus, Christians, Shias, Ahmedias, Islamias and various other religious communities even today are being targeted, being persecuted and subjected to so much targeted attacks. Therefore, it is an undeniable fact that Pakistan is a sponsor of terrorism and, therefore, it has to be taught a lesson. But how? It has to be in a legal framework and it should stand for judicial scrutiny. That is what my point is. In fact, the fact that it is a terrorist sponsored State can be substantiated with reference to some more facts also. In 19th Asian Security Conference which has been held at the Institute of Defence Studies, former National Security Advisor of Pakistan, General Mahmood Ali Durani, himself has admitted that 26/11 terror attacks in India in Mumbai had been orchestrated by Pakistan. That attack is a reminder to us. We can remember that 166 people had been killed, including some of the foreigners. The Pakistan Government has itself accepted that it is sponsoring terrorism in India. What more evidence is required? That itself is evidence. Sir, one more point is, Pakistan has got

a dual policy insofar as terrorism is concerned. According to Pakistan's dictionary, there are two definitions. One is bad terrorists and another is good terrorists. Who are bad terrorists? Bad terrorists, according to Pakistan, are the terrorists who attack Pakistan military installations, Pakistan civilians and Pakistan Police. Good terrorists, according to Pakistan's dictionary, are the terrorists who attack Indian Police, Indian military and Indian establishment. This is the dual policy which is being adopted by the Pakistan Government so far as terrorism is concerned. Sir, I would like to bring to the notice of this august House one important issue, when it comes to violation of rules that have been framed under Vienna Convention. I draw your kind attention to Article 62 of the Vienna Convention which states "a fundamental change of circumstances". Why? How can Pakistan be declared as a terrorist State? I am only referring to Article 62. According to Article 62, it is "a fundamental change of circumstances". That is very important. Wherever there is a fundamental change of circumstances which occurred with regard to those existing at the time of conclusion of a treaty, it may be invoked as a ground for terminating or withdrawing from the treaty. Therefore, what I am trying to say, Sir, is, even though there is a Vienna Convention and we are also party to that, still it is very much justified and it is within our fundamental right that because there is a change in the 'fundamental change of circumstances', as per the article of Vienna Convention, it is very much justified that we can withdraw economic and trade relations with Pakistan. Therefore,...

MR. DEPUTY CHAIRMAN: Okay.

SHRI V. VIJAYASAI REDDY: Sir, just a few more minutes. It is a very important issue. I would really like to put forth to your goodself. Sir, let us see the international perception of Pakistan insofar as terrorist State is concerned. Sir, in September 2016, in the U.S. House of Representatives a Congressman named Ted Poe introduced a Bill 'Pakistan State Sponsor of Terrorism Designation Act (HR 6069). It means that the U.S. also has confirmed it. In fact, he is the Chairman of the Committee on Terrorism. The U.S. itself has recognized that Pakistan is sponsoring terrorism. This is an indication. Secondly, in December, 2016, the President of Afghanistan has accused Pakistan of waging an "undeclared war" against Afghanistan and he further confirmed that Taliban insurgents battling against his Government may not last long without sanctuary of Pakistan Government. Therefore, it is not only against India, but also against Afghanistan and other countries also, Pakistan is waging an undeclared war and also encouraging terrorism. Finally, Sir, one more point. ...(*Time-bell rings*)... Sir, you please give me one more minute. Sir, whether the lenient attitude of India towards Pakistan is really yielding any result or not. According to me, it is not yielding any positive result. In fact, hon. late Prime Minister, Pandit Jawaharlal Nehruji, in the case of Indus Water Treaty, had clearly stated that he is

[Shri V. Vijayasai Reddy]

giving 80 per cent of water to Pakistan so far as tributaries to Indus river, Jhelum and Chenab, are concerned. Eighty per cent of water is given to Pakistan. That is the goodwill gesture. Is Pakistan really responding and reciprocating positively to the goodwill gesture that India is sending? In fact, I say, 'no'. I can say even our own Prime Minister...

MR. DEPUTY CHAIRMAN: All right. ...(Time-bell rings)... You took eight minutes.

SHRI V. VIJAYASAI REDDY: Sir, just one more minute. Let me conclude.

MR. DEPUTY CHAIRMAN: No, no; please conclude. You took eight minutes. In place of two minutes, you took eight minutes.

SHRI V. VIJAYASAI REDDY: Sir, I will conclude. Sir, I will finally conclude. Sir, Pakistan, post-independence, almost for 30 years, is under military rule. Even if the civilian Government wants to cooperate with the Indian Government, still the military of Pakistan will not allow the civilian Government of Pakistan to cooperate with India. Thirdly, Sir, according to me, in the light of the circumstances, India should enhance people-to-people contact and use its soft power. And, further,...

MR. DEPUTY CHAIRMAN: Alright. You have taken nine minutes in place of two minutes.

SHRI V. VIJAYASAI REDDY: ...even today 68 per cent of the people of Pakistan want good relationship with India.

In the light of this fact, I support the Bill and want that Pakistan has to be taught a lesson.

Thank you.

DR. ABHISHEK MANU SINGHVI (Rajasthan): Sir, let me first start by commending the propounder of this Bill, Mr. Rajeev Chandrasekhar, our colleague, and I think his zeal, good intentions, research oriented approach is not in doubt. His *bona fides* is not in doubt.

Although I am going to show how the Bill does not really achieve any objective and suggest some changes, I think, the fact that he has generated a great awareness on this subject in a very short time is highly commendable.

Sir, the issue is not whether Pakistan terrorizes India. The issue is not how many people and how many lives we have lost. The issue is not that the international perception clearly is that Pakistan is a huge exporter of terrorism. The issue is not

that Pakistan plays multiple hypocrisies and has many, many standards in dealing with terrorism. I think, all that is a given one. There would not, perhaps, be a single Member of this House or the other august House to oppose it. So, I think, as far as the sentiment is concerned, the whole of this House fully support the fact that Pakistan deserves to be treated as a terror exporting State, particularly with respect to India. The real question, however, is none of these. The real question is: Does this Bill add any value? And, with the best of intentions, I would say that value may not be added. Why does it not add value? We have already declared and we have had Parliamentary resolutions and declarations and, perhaps, we should have another one saying exactly what Mr. Rajeev Chandrasekhar's Bill propounds. We can have a Parliamentary resolution in two minutes saying, 'Pakistan is a terrorist exporting nation and is a terrorizer of India.' But, there is a difference between a resolution or declaration and an Act or a Bill of Parliament. A Bill must have some teeth. It must give some actionable points by which the Government is bound. It must be the law of the land. Now, the heart of this Bill is clause 3. It gives some 7-8 penal provisions. It permits travel and Visa restrictions. It permits trade restrictions. It permits receiving and grant of remittances, manufacturing, maritime fishing, trading, over-flight restrictions, credit transfers and so on and so forth. There is a very comprehensive list. The question is, each one of them, as I had just mentioned, can be done by a simple notification by the Government of India requiring no Parliamentary enactment. To put restrictions on trading or on fiscal front, there are statutes which permit notification. Even today, as we sit here, we can ban any travel or restrict any Visa. Therefore, clearly, with the best of intentions, Mr. Rajeev Chandrasekhar, needs to go back to the drawing board and use his very, very impressive intellect and vast resources to come up with a better model. Now, let me suggest a better model. I am saying it only constructively. I am sure he will be able to do it much better.

If you accept that a Bill or an Act of Parliament must have teeth, then how do you punish? The whole idea of Mr. Rajeev Chandrasekhar is, to some sense, to punish Pakistan when it does all that. Well, I suggest, merely saying, 'the Government of India may do it' is not enough. You need to create a calibrated hierarchy of both events and punishments. Let me explain what I mean very, very briefly. I will be finishing it in a couple of minutes. If Pakistan is found in any particular event — Uri or anywhere else — in India to have a hand, on the basis of the Government of India's inquiry, within a short period, that is offence number one. In the event that Pakistan is found after another three months to have done a second event, then that is offence number two and so on and so forth. So, a future, better and improved Bill of Mr. Chandrasekhar should say that the moment the Government of India comes to a finding that there have been three events of this kind or two events of this

[Dr. Abhishek Manu Singhvi]

kind, which are based on the Government of India's reports and inquiries, then the first of a calibrated list of consequences 'must' follow, not 'may' follow. It is not an Act of Parliament that the Government has an option. The Government already has options in all these Acts to have notification issued. It must follow. Now, what is that calibrated list of penalties? And, I am not saying that this is the right way; I am saying that these are only suggestions. The first could be, an official Government warning. Under this Act of Parliament, having found offence one, two and three, the first is a warning; then, having found the fourth offence, the next is that we must exercise the right of curtailing travel or curtailing visas for a particular segment, which hurts Pakistan, but at a lower level; if it continues as a habitual offender, then, the third can, for example, purely by way of example, a fishing restriction; fourth can be a trade restriction in a particular commodity which hurts Pakistan more than the first three. It is this kind of a calibrated specific list of penal consequences, in turn, based on multiple findings of repeat offences recorded by the Government of India, which alone will make this from a mere declaration of intent into an Act of Parliament, if ever it becomes an Act of Parliament. Obviously, that is what the intention is. And, I think, it will have the entire might of the sovereign State of India; it will have the entire might of the Parliament. And, since it is based on Government findings and inquiries, which show Pakistan with a hand here killing ten people, with a hand there killing twenty people, with a hand there hurting so many people, the Government, in that case, is bound by its own conclusions. Therefore, the necessary consequences in a calibrated manner must follow. I am sure, you can leave a little bit of play in the joints; I am sure, you can leave a little bit of flexibility. But that is the kind of model on which we must all collectively work together. And, indeed, it will be a unique model. It will be a model, as far as I know, not available in most of the countries. The US is a wrong example because they have so much of financial assistance, so much of trading of different kinds. If it simply declares someone a terrorist State that stops their funding. India does not necessarily have that financial assistance power. So, our Act must be differently styled and, I think, it will be the first of its kind. And, I am sure, that in the near future Mr. Rajeev Chandrasekhar will be author of a better and a more efficacious Bill. Thank you.

DR. SUBRAMANIAN SWAMY (Nominated): Mr. Deputy Chairman, Sir, first of all I think the sentiments of the House seem to be to compliment Mr. Chandrasekhar for thinking of this, articulating this, and producing a Bill. The best way to understand the Bill is to read the Objects and Reasons, which are on page 6 of the Bill. Of course, the object is to declare Pakistan as a terror-promoting or sponsoring State. How disappointed we are with what Pakistan is doing. My predecessor speaker spoke

about calibrating. I wonder whether we have long past that time. When partition was created, the hope was that the elements, which constituted Pakistan leadership, would work for peace with India as they had got a separate country. But that did not happen. In fact, if you read the debates of the British Parliament on the Indian Independence Act, which created Pakistan, the speakers after speakers said in that debate, and this was endorsed by the then British Government, that the aim is to create a Muslim-governed Pakistan and a Hindu-governed India, which led Ambedkar to say, "Let's have a population exchange." But some Indian leaders, particularly Mahatma Gandhi, felt that that would be wrong and that we should continue with the experiment of trying to live in peace with all communities. But, over a period of time, we have found that it has become increasingly difficult.

In 1971, we were compelled to break Pakistan into two because of the fact that a heavy burden was imposed on us on account of an internal conflict. So, the question now will become: How do we deal with this question of Pakistan now? We have tried all this calibration during the 10 years of the UPA; all we have got is more terrorist attacks. Some relief has come after the surgical strike by our Government, but that is not enough. We need a much more macro-surgical strike, and, for that, we have to prepare ourselves. In fact, yesterday, Mr. Chandrasekhar, just informed me and showed me a publication. One of the Senates has introduced a Bill to declare Pakistan as a terror-sponsor State. So, it is not only we who think it is. The biggest patron of Pakistan today thinks so. There are people who are lawmakers there who think that it is so. And, now with Mr. Trump becoming President, it is just possible that they all will go in that direction. We are the ones who are the affected people. How many incidents have taken place? So, what is the answer? Each time, you can't say, peace, peace, peace. There has to be, at some stage, a retaliation. And, the first retaliation, in my opinion, would be — if the Government is ready to do it — of an executive action, as Mr. Tulsi has suggested, or, by seeing the sentiments in this House, accept this Bill, or, say that we will come forth with our own Bill in this matter, or, a statement in the House. I would like to say that one of the greatest tributes to India's composite culture is that the founder of Pakistan, Mohd. Ali Jinnah, had only one daughter, and she chose to live in India. She made a public statement disowning Pakistan, and her only son today is one of our prominent industrialists. So, this itself is something that we have not publicised. But it is something that bothers Pakistan, which keeps referring to it time and again. This shows that, ultimately, the civilian society in Pakistan may be for India, but the fact is that the civilian society does not run Pakistan. There may be an election and there may be an elected Government, but, ultimately, it is the military, the ISI and the terrorists. Today, with ISIS coming into, on its own, as an

[Dr. Subramanian Swamy]

identity, there is a vast influx of ISIS people into Pakistan, and that is spilling over to India today. We saw that in Lucknow, we saw that in Bhopal, we are seeing this in Kerala, we are seeing it in Ramanathapuram in Tamil Nadu. The ISIS is very clear that India has to be converted into a caliphate. Whether they succeed in it or not, but they are going to try. Therefore, you have to prepare for it. We may, again, be forced to intervene in Pakistan's structure, like we did at the time of Bangladesh. There are States within Pakistan which do not want to remain any more with Pakistan. Like Balochistan, there are movements in Sindh. One of these days, it might become necessary for us to enforce — like we did it in the case of Bangladesh — Pakistan into four separate countries to reduce the hotbed, the basis for Pakistan terrorism, namely, what is now called as Punjab in Pakistan. So, now, it is no more a question of debating and looking for conciliatory approaches. We have tried everything. Today, we have nothing but to take action, but what kind of action? The first signal is, if the United States is doing this, we can coordinate with the United States. Of course, the Israelis are very good friends, despite some ideological problems of the people on that side. But the fact is that they have been supportive of us. They have been helping us in our fight against terrorism. So, the United States, Israel and India become natural partners in dealing with terrorism. Therefore, I would very strongly recommend our Government that on the basis of the facts assembled by Mr. Chandrasekhar, let us move forward, declare Pakistan as a terror-sponsoring State, and remove the Most Favoured Nation status that we have given them for trading. Today, Pakistan's cement comes here at a price lower than that of our own cement manufacturers. They are dumping cement here. There are so many trades where they are benefitting. This money, then, ultimately, gets funnelled into the military, and, from there into terrorism. So, it is about time for us to stop talking in terms of all this goody-goody stuff, having their cinema stars come here, playing cricket. These are all over. They are not going to produce results. They just make a mockery; they make fun of us on this issue. What we need to do is, take a hard look at Pakistan and see whether this state deserves to exist in this present form. For that, the first step will be declaring it as a terror-sponsoring state. Thank you very much.

श्री महेश पोद्दार (झारखंड): उपसभापति जी, आज इस सदन में माननीय गृह मंत्री जी ने लखनऊ की घटना के सम्बन्ध में दो बातें कहीं। एक तो उन्होंने आतंकवाद के बारे में बात कही और दूसरा, आतंकवादी के परिवार, उसके पिताजी की बात कही कि उन्होंने कैसे अपने पुत्र को disown किया। महोदय, भारत में आज जो एक नई सोच हो रही है, वह पाकिस्तान के प्रति, आतंकवाद के प्रति एक नई भावना जाग्रत कर रही है। माननीय राजीव जी का यह प्रस्ताव भी इसी नई सोच की एक उपज है।

महोदय, आजादी के पहले हम एक थे। "बांटो और राज करो" के तहत हम बँट गए। धर्म के नाम पर देश को बांटने का आधार बनाया गया, लेकिन उस बँटवारे के बाद आज भी भारत में लाखों लोग ऐसे हैं, जिनके जख्म भर नहीं पा रहे हैं। कहते हैं कि time heals. समय के साथ-साथ यह जख्म भर जाना चाहिए था, लेकिन यह भरता नहीं। जब इसके भरने की प्रक्रिया शुरू होती है, तो उसे बीच-बीच में कुरेद दिया जाता है। इस तरह से घाव भरने नहीं दिया जा रहा है। सामान्य तौर पर कई पीढ़ियाँ गुजर गईं और अब तक हमारे सम्बन्ध सुधर जाने चाहिए थे, हमारे घाव भर जाने चाहिए थे, लेकिन यह भर नहीं रहा। हमारा कसूर क्या है, यह भी आज तक कोई स्पष्ट नहीं बता पा रहा है। उन्होंने धर्म के आधार पर पाकिस्तान तो बनाया, हम राजी भी हुए, लेकिन वे अपने देश को एक न रख पाए। इसमें हमारा क्या कसूर है? हमारे हजारों जवान इस प्रक्रिया में शहीद हो गए, हमारे सामान्य नागरिक भी आतंकवाद की भेंट चढ़ रहे हैं, अरबों रुपए भी खर्च हो रहे हैं, लेकिन आखिर कब तक हम अपने गरीबों की रोटी छीन कर इनके ऊपर खर्च करते रहेंगे? हमने इस बीच क्या-क्या पहल नहीं की! हमने सब कुछ किया। जीती हुई जंग में कैदी सिपाहियों को मेहमान की तरह रखा, उन्हें वापस किया, सम्मान के साथ। हमारे नेतृत्व ने सार्वजनिक रूप से यह भी कहा कि दोस्त बदले जा सकते हैं, लेकिन पड़ोसी नहीं। हमारे हर शासन ने दोस्ती का हाथ बढ़ाया और उन्होंने देश के अंदर विभिन्न मतों को, जो मत पाकिस्तान के खिलाफ थे, उनको नजरअंदाज भी किया, आलोचना भी झेली, लेकिन ढाक के वही तीन पात! महोदय, बहुत हो गया। हमारे गृह मंत्री जी को अब अपने सिपाहियों को यह कहना पड़ रहा है कि पहल मत करो, लेकिन सीमा पार से गोली आए, तो जवाब में कितनी गोली दागोगे, उसकी गिनती की कोई जरूरत नहीं है, आज परिस्थिति ऐसी हो गई है।

महोदय, यह बिल भारत के आम आदमी की भावना को दर्शाता है। वह अपना पड़ोसी भाव निभाते-निभाते थक गया है। हमने कई युद्ध झेले, संसद पर हमला झेला, 26/11 के मुम्बई का हमला झेला, हमने कई तरह के आतंकवाद को झेला और अब भी झेल रहे हैं। अब घर के अंदर भी आतंकवाद अपने पैर फैला रहा है, फिर भी यह प्रस्ताव कि युद्ध की बात नहीं कर हम उनसे अपनी दूरी बढ़ाने की बात कर रहे हैं, यह हम सिर्फ बिगड़े रिश्तों को बिगड़ा मानने की औपचारिकता कर रहे हैं। अतः सदन में इस पर गहन चर्चा होनी चाहिए। आज समय आ गया है, we call a spade a spade. जो हमारे खिलाफ है, हम भी उसके खिलाफ हैं, यह संदेश इस बिल के माध्यम से साफ हो जाएगा, शक की कोई गुंजाइश नहीं होगी।

महोदय, हम गुजारा कर लेंगे। जैसा हमारे माननीय साथी ने कहा है, हम पाकिस्तान से सीमेन्ट नहीं मँगाकर भी गुजारा कर लेंगे, हम आवाजाही पर भी नियंत्रण कर लेंगे, हम सब कुछ कर लेंगे, हमने सब कुछ देख लिया, लेकिन उसके बाद भी यदि हम इस तरह की ढीली व्यवस्था रखेंगे, तो यह उचित नहीं होगा।

उपसभापति जी, राजीव जी के इस प्रस्ताव से लोग असहमत हो सकते हैं, पर इसे हम गलत नहीं कह सकते। यह एक स्वाभिमानी देशभक्त की प्रतिक्रिया है और आशा है कि सदन इसका सम्मान करेगा, पर संभवतः इस बिल के सारे प्रावधानों को सरकार संज्ञान में लेगी और उन पर उपयुक्त कार्रवाई करेगी, जिसके लिए शायद अभी क़ानून बनाने का वक्त नहीं आया है, लेकिन हाँ, कुछ न कुछ निर्णय लेने की आवश्यकता है और कुछ न कुछ करते रहने की आवश्यकता है, धन्यवाद।

MR. DEPUTY CHAIRMAN: Shri Swapan Dasgupta. The United Group has no time. But you can take three minutes.

SHRI SWAPAN DASGUPTA (Nominated): Sir, whatever time you give me, I am glad because I gave the notice at a very late stage.

I want to join other Members here who complimented Shri Rajeev Chandrasekhar for his erudition, for his scholarly application and for producing a wonderful document. However, I will desist from adding the word 'but' to his wonderful Bill. Because, unlike a lot of others, I don't necessarily see the nuanced and calibrated approach, which we often find Foreign Office Communique mentioning 'necessarily a very good thing'. I often wonder whether it is time we should say certain things quite openly and explicitly. It is not necessary for us to go through the rigours or trying to show who is a bad boy. First bad mark, second bad mark and after the third bad mark, he is expelled. It is not necessary. I think by now everybody knows what Pakistan is. Unfortunately, for us, we seem to be under a degree of squeamishness about how we can approach this problem. It is being contended that a Bill of this nature while wonderful in sentiment does nothing specific. I think it does. I tell you, Sir, in my view, which may be a little different from that of Rajeev Chandrasekhar, who has proposed the Bill. The first important point is that I think it creates a safeguard against what I would call 'the Wagah spirit'. There are people who believe that every bomb blast, every act of terrorism and every attack on our Army camp should be responded by going with a candle to Wagah saying Aman ki Asha and let us have more *Samjhauta*, etc. It sets an institutional deterrent to the type of activities we saw in Sharm-el-Sheikh where we equated their terrorism with our terrorism. A moral equivalence was established. A Bill of this nature puts a natural safeguard to say that terrorism directed against India will not be tolerated. If today it is Pakistan, tomorrow it could be some other country. But I think once that mechanism is in place, then we know the limits where the Foreign Policy Establishment can go and cannot go. It is very, very important in that respect.

Secondly, Sir, it is being contended that what really is our power. The United States is a big country, etc. They can do this and they can have Bills and legislations against terrorism. We are just insignificant. The moment we start thinking of ourselves as merely, to use Krishna Menon's phrase, the quality in world affairs rather than a power in world affairs, we fall into this trap. It is about time India as a rising economic power must have a foreign policy which is commensurate with that. We cannot have a foreign policy which is really one of arm-wringing while economically we are better off. There must be a level of parity. And, Sir, in that level of parity, one of the things is the protection of India's natural sovereignty. For Pakistan, it is not merely a question of territorial disputes. We can have territorial disputes with a

lot of people. That is part of the game. In Pakistan, they have gone one step further. I think it is the subversion – whether it is in the form of fake currency notes, which was one of the major reasons for demonetisation programme, or whether it is subversion in other ways. We cannot always respond to it by saying that we are really estranged brothers. Yes, we were estranged brothers at one time. But, after 70 years, when someone thinks of you as an enemy and someone thinks of you as separate, to use that thing that we were once linked by the same bloodline is no longer a valid proposition. So, Sir, it is to first create the environment whereby foreign policy is not based on individual flights of whimsy ...(Time-bell rings)... and is more based on certain institutional checks. That is the reason I would like to support this Bill. Thank you very much.

MR. DEPUTY CHAIRMAN: Shri Amar Singh, do you want to speak? Okay. Please take three minutes.

श्री अमर सिंह (उत्तर प्रदेश): माननीय उपसभापति महोदय, सबसे पहले मैं श्री राजीव चंद्रशेखर जी को बधाई देना चाहूंगा कि उन्होंने इस बिल को प्रस्तावित किया है। आपको भी धन्यवाद कि बहुत अल्प समय में नोटिस देने के बावजूद आपने बोलने का अवसर दिया है। यह ठीक है कि विश्व छोटा हो गया है और विश्व में हर स्थान से हम जुड़ गए हैं। लेकिन प्रासंगिकता जिस बात की है कि हमें क्या चीज तंग करती है, अभी-अभी वक्ताओं ने, किसी ने वियेना का जिक्र किया, किसी ने इज़राइल का किया और किसी ने क्यूबा का किया, लेकिन इज़राइल में क्या हो रहा है, क्यूबा में क्या हो रहा है, वियेना में क्या हुआ, उससे ज्यादा यह भी सच है कि हम अपना मित्र बदल सकते हैं, लेकिन अपना पड़ोसी नहीं बदल सकते लेकिन यह भी उतना ही बड़ा कड़वा सच है कि इतने दिनों बाद अगर पड़ोसी नहीं सुधर सकता, तो हमको सिवाए इस बात के कि "कर्म करोगे कर्म करेंगे, सितम करोगे सितम करेंगे, जो तुम करोगे वह हम करेंगे" इसके अलावा और कोई चारा हमारे पास नहीं है। हमारे बहुत बड़े विधिवेत्ता और बड़े पुराने मित्र अभिषेक मनु सिंघवी ने कुछ विधिक व्यावहारिक दिक्कतें इस बारे में बताई हैं। हालांकि उन्होंने भी इस बिल के पीछे छिपी भावना और राष्ट्रवाद की सराहना की है। मुझे नहीं पता, मैं उनकी तरह बड़ा विधिवेत्ता नहीं हूँ कि यह संवैधानिक रूप से इस बिल को किसी तरह से नियोजित या प्रायोजित कोई विधिक प्रारूप दिया जाए। लेकिन अगर यह संभव है तो निश्चित रूप से आम भारतीयों की यह राय होगी, जैसा कि हमारे मित्र डा. सुब्रमण्यम स्वामी ने कहा है कि इसको तत्काल प्रभाव से लागू किया जाए, क्योंकि अब मामला सिर्फ कश्मीर का नहीं है, मामला सिर्फ संसद पर हमले का नहीं है। अब हमारे गृह जनपद की राजधानी में भी आतंकवाद के बम के मसाले फट रहे हैं। हमारे देश का कोई भी स्थान सुरक्षित नहीं रह पाएगा, अगर हम लोग इस पर कोई कड़ा प्रावधान नहीं लाएंगे, क्योंकि आतंकवाद का कोई चेहरा नहीं है। यह सुषुप्त अवस्था में है। पता नहीं सामने कौन सा व्यक्ति जो सफेदपोश दिखाई दे रहा है, उसके अंदर कौन सा आतंक पल रहा है, बढ़ रहा है और जब तक हम इस पर कोई अंकुश नहीं लगाएंगे, कोई कड़ा प्रावधान नहीं करेंगे, क्योंकि जो हमारी नजर में आतंकवाद है, पाकिस्तान की मिलिट्री रिजीम के लिए वह राष्ट्रवाद है। तो इसलिए उनके कथित राष्ट्रवाद से लड़ने के लिए उसे आतंकवादी देश घोषित करें, उनको ईंट का जवाब पत्थर से देना पड़ेगा, यह आम भारत के नागरिक के राष्ट्रवाद

[श्री अमर सिंह]

की आज भावना है। और यह भावना कुछ इस तरह से है कि:—

"दिल की बात कहे दिलवाला, सीधी सी बात, न मिर्च मसाला, कहता रहेगा कहने वाला और नहीं सुनके दे सुनने वाला, तो कोई बात नहीं"

इसलिए इस बिल का समर्थन करते हुए एक बार फिर राजीव चंद्रशेखर जी को बधाई और उनकी सराहना करते हुए और विधिवेत्ता हमारे मित्र अभिषेक मनु सिंघवी की विधिक दिक्कतों को, व्यावहारिक दिक्कतों का समन्वय करके इस बिल को एक रूप दिया जा सके, ऐसी कामना के साथ आपको धन्यवाद देते हुए मैं अपनी बात समाप्त करता हूँ, धन्यवाद।

MR. DEPUTY CHAIRMAN: Now, hon. Minister to reply.

गृह मंत्रालय में राज्य मंत्री (श्री हंसराज गंगाराम अहीर): माननीय उपसभापति महोदय, यहां पर माननीय सदस्य श्री राजीव चंद्रशेखर जी ने जो गैर-सरकारी विधेयक प्रस्तुत किया है, इस पर बहुत से माननीय सदस्यों ने अपने विचार रखे हैं। इन सभी सम्माननीय सदस्यों की भावनाओं को हम सभी ने सुना है। माननीय राजीव चंद्रशेखर जी के बाद श्री आनंद भास्कर रापोलू, श्री के.टी.एस. तुलसी जी, श्री जावेद अली खान जी, श्री वि. विजयसाई रेड्डी जी, डा. अभिषेक मनु सिंघवी जी, डा. सुब्रमण्यम स्वामी, श्री महेश पोद्दार जी और श्री अमर सिंह जी ने अपने विचार रखे। इसके अतिरिक्त श्री स्वपन दास गुप्ता जी ने भी इस संबंध में अपने विचार रखे। इन सभी के विचार हम सभी ने सुने। मैं सभी के विचारों का सम्मान करता हूँ। जो विधेयक यहां आया है, उस विधेयक के बारे में सभी ने श्री राजीव चंद्रशेखर जी के विचारों और उनकी भावनाओं का सम्मान किया। मैं आपके इन विचारों का सम्मान करते हुए हमारी सरकार की ओर से यह कहूंगा कि हम सब जानते हैं कि बहुत लम्बे अरसे से सीमा पार से पाकिस्तान के द्वारा हमारे देश में जो आतंकवाद फैलाया जाता है, उसका हम कई वर्षों से सामना करते आ रहे हैं। केंद्र तथा राज्य सरकारों के निरंतर प्रयासों के कारण इस चुनौती का सामना करने में हम कई बार सफल हुए हैं। भारत सरकार द्वारा सभी अंतर्राष्ट्रीय मंचों पर आतंकवाद के सभी प्रारूपों और प्रकारों की निंदा की जाती है। देश के भीतर इस चुनौती का सामना करने के लिए सरकार द्वारा विभिन्न उपाय किए गए हैं तथा लगातार किए जा रहे हैं। सरकार द्वारा द्विपक्षीय और बहुपक्षीय मंचों पर पाकिस्तान द्वारा आतंकवादी संगठनों को समर्थन दिए जाने के विषय को उठाया जाता है। तथापि मैं आपके माध्यम से यह भी बताना चाहूंगा कि किसी देश को आतंकवाद के प्रायोजक देश के रूप में घोषित किए जाने के दूरगामी परिणाम हो सकते हैं। जहां तक आतंकवाद के प्रायोजक देश के नागरिकों पर प्रतिबंध लगाने का संबंध है, विभिन्न अधिनियमों के अंतर्गत ऐसे प्रावधान विद्यमान हैं, जैसे law enforcement agencies लागू कर सकते हैं, अंतर्राष्ट्रीय वित्तीय संस्थान आतंकवाद के प्रायोजक देश को वित्तीय सहायता दिए जाने के विभिन्न आयामों से अवगत है तथा FATC ने आतंकवादियों के वित्तपोषण को रोकने के लिए विभिन्न प्रावधान किए हैं। एक देश को पूर्णतः आतंकवाद का प्रायोजक देश घोषित करने के राजनियम सहित दूरगामी परिणाम हो सकते हैं। किसी देश का किसी भी तरह का निर्णय लिए जाने के पूर्व इसका अध्ययन किए जाने, उन्हें समझने और उसके लिए तैयारी किए जाने की आवश्यकता है। अंततः विधेयक का समर्थन नहीं किया जा सकता। मैं आपके माध्यम से सम्माननीय श्री राजीव चंद्रशेखर जी से विनती करता हूँ कि वे इस विधेयक को कृपया वापस ले लें, ऐसा मेरा आपके माध्यम से उन्हें अनुरोध है, धन्यवाद।

MR. DEPUTY CHAIRMAN: Okay, thank you. Mr. Rajeev Chandrasekhar, would you like to reply or say something?

SHRI RAJEEV CHANDRASEKHAR (Karnataka): Thank you, Sir. Let me start by thanking all my colleagues who participated in this debate. I am grateful to them for their support through the course of passage of this Private Bill for the last many months.

Sir, let me just start by saying, I think, the objective of this Bill, as I said very early on, was to start a debate in this House because since 1994 this House has said very little about Pakistan's role in sponsoring terrorism and Pakistan's role in claiming of thousands and countless of innocent lives in India. Sir, I would like to place in front of my friends three quotes. One is what Sushmaji said in the 71st UN General Assembly in September, 2016 and I quote, "We must acknowledge that terrorism is undoubtedly the biggest violation of human rights. It targets the innocent and kills indiscriminately. Terrorism has gone way beyond affecting individuals or nations. It is a crime against humanity itself. But it is important to ask – who is behind this and who benefits from it? Terrorists do not own banks or weapons factories, so let us ask the real question: who finances these terrorists, who arms them and provides sanctuaries?" Sir, I am putting this quote here for us to just ponder because this is the thought that is also crossing, these are the questions that are being put by every man and woman in this country as they hear about terror acts regularly.

Sir, let me put another quote to you. This is by the former Prime Minister Smt. Indira Gandhi talking about the context in which India has never been the aggressor and she said in 1971 and I quote, "India always tries to be on the side of peace and negotiations and so on but of course we can't endanger our security in any way. We have never ever attacked anybody but we have been attacked many times."

Sir, in February, 2000, the then Prime Minister Atal Bihari Vajpayeeji did not mince words when he said and I quote again, "Pakistan is sponsoring cross-border terrorism as it has its internal compulsions. Pakistan has been smarting ever since its defeat in 1971 and the formation of Bangladesh, and now it has been humiliated in Kargil. Though the battle of Kargil is over, the war against terrorism will continue till Pakistan does not stop sponsoring terrorism. There can be no meaningful talks with Pakistan till it stops cross-border terrorism."

Sir, the point here is, for seven decades, our neighbour has managed to leverage their sponsorship of terror as an instrument of state craft. This is the fact. This has been going on for seventy years. I think, like, my colleague, Maheshji said, it is

[Shri Rajeev Chandrasekhar]

4.00 P.M.

now time for us, as a nation and as people and as Parliament, to say, 'Enough is enough'. Some of our Members were talking about various points and though questions are raised about whether there is any utility of this Bill. Sir, there is a utility of this Bill and the utility is very simple. Since 1994, the Parliament has not spoken about this issue and I think for the Parliament to speak about the fact that Pakistan is a state sponsor of terrorism is in itself a big thing. It may not translate into the necessary executive actions immediately on passing of the Bill or on the discussion of the Bill but the fact is that the Parliament of India and indeed the Rajya Sabha has not spoken on this issue since 1994. So, just by speaking, Sir, we are sending a message. So, I don't want to go on to extraordinary lengths to reinforce and re-emphasize the need for such a debate and need for such a Bill but I want to clearly address some of the doubts that have been raised by the Members because these are doubts that exist today even amongst some pockets in India. So, if you give me some time, I would like to say this. One of the points like, for example, K. T. S. Tulsiji has said is, 'If the Executive has power so why should the Parliament do anything about it?' But that is precisely why this Bill is necessary. That is precisely why this debate is necessary because over the last seven decades, successive Executives have abrogated their responsibility in declaring and calling out Pakistan for being a state sponsor of terrorism. So, if the Executive does not want to do it then the Parliament can't just sit around and say, we will just standby, sit silently and have the Executive decide what the people of India want. So, Sir, there is a utility and this Parliament has a role to talk about Pakistan's role in terrorism regardless of what the Executive does or does not do. So, that argument, that the Executive has the power and the Parliament should sit on its seats and do nothing is, I think, the moot point.

There is another point raised again by our colleague saying, 'We need action, we don't need Bills.' But, that is, precisely what this Bill is supposed, to not allow the discourse to drift into. Today, Sir, when there is a terror act, we are left with two options. One is, you take a candle and do a candle-light vigilance and say, '*Aman Ki Asha*' or we say 'surgical strike' or a 'military action'. The whole contention of this Bill is to argue that we have a broad space between doing nothing and doing military options and that is precisely what this Bill is about.

This Bill is about exploring the middle ground of options that have to do with economy, trade and other forms of sanctions and other forms of pressures on Pakistan that go beyond doing nothing and doing only military action. Sir, a member expressed a view that we must also declare Cuba and Israel. Parliament talks about

who impacts us and who harms us. Cuba and Israel don't harm us. If some other country is affected by Cuba and some other people are affected by Israel, they will, in their Parliament, in their Legislature, declare them as terror States. This is India. We represent the people of India and the clear and present danger to the people of India is Pakistan. Therefore, the argument that we should drag in ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Now, please conclude.

SHRI RAJEEV CHANDRASEKHAR: Sir, let me conclude. I want to finish all the points. Give me three more minutes.

MR. DEPUTY CHAIRMAN: No. There is not much time.

SHRI RAJEEV CHANDRASEKHAR: These are the points raised. So it is my obligation to reply to them.

MR. DEPUTY CHAIRMAN: Please reply in brief.

SHRI RAJEEV CHANDRASEKHAR: Sir, now you are disturbing my train of thought. The other point that was raised was that we should work with other countries. This is again a bit farcical because if we are the victims of terrorism, we have to take the first move on this issue rather than relying on other countries to work with us to declare our enemy a terror State.

Sir, there are last two points before I wrap up. My colleague, Dr. Manu Singhvi said about graded response and, there, I disagree with my friend. I think the time for graded response is over. There is no need for us to investigate as to whether Pakistan is a terror State or not. We already know that it is a terror State and now, it is a question of debating options. I will just end by repeating what my colleague Dr. Swamy said. Just yesterday, the U.S. Congressman Ted Poe, the Chairman of the House Subcommittee on Terrorism has introduced HR 1449, the Pakistan State Sponsor of Terrorism Act of 2015. And during the interaction he said and I quote, "Not only is Pakistan an untrustworthy ally, Islamabad has also aided and abetted enemies of the United States for years. From harboring Osama Bin Laden to its cozy relationship with the Haqqani network, there is more than enough evidence to determine whose side Pakistan is on in the War on Terror. And it's not America's. It is not the world's. It is time we stop paying Pakistan for its betrayal and designate it for what it is: a State Sponsor of Terrorism." Sir, I will end by requesting the Government that let the *status quo* not continue, that the Government explore options that go beyond just candle raising or military options and explore the all plethora of options that lie in the economic and trade area so that we can approach the issue of Pakistan and the relationship with Pakistan afresh. Thank you, Sir. Jai Hind.

MR. DEPUTY CHAIRMAN: Are you withdrawing the Bill?

SHRI RAJEEV CHANDRASEKHAR: Sir, I am withdrawing the Bill.

MR. DEPUTY CHAIRMAN: I hope the House agrees for the withdrawal of the Bill.

The Bill was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: Now, Dr. Sanjay Sinh; not present. Shri Ahmed Patel; absent. Shrimati Renuka Chowdhury; not present. Shri Prabhat Jha; not present. Now, Dr. T. Subbarami Reddy. You can see the Post Script (PS); it says, "Subject to receiving of the President's recommendation under Article 117 (3) of the Constitution." President's recommendation मिला या नहीं मिला? What is the position? The Secretariat reports that the President's recommendation is not received. They have put it perhaps on the presumption that the President's recommendation may come today. I think your Bill will not lapse.

DR. T. SUBBARAMI REDDY (Andhra Pradesh): But we can get ratification.

MR. DEPUTY CHAIRMAN: No, no. The point is, next day when Bills will be taken, it will be there. By that time, you also ensure that President's recommendation comes.

DR. T. SUBBARAMI REDDY: In that case, will I get priority over other Members who are absent?

MR. DEPUTY CHAIRMAN: You will get priority.

DR. T. SUBBARAMI REDDY: Would the Members who are absent get a chance after me? What is the rule?

MR. DEPUTY CHAIRMAN: Members who are absent will go to the last. Your priority will be there; and they will lose the priority.

DR. T. SUBBARAMI REDDY: When this Bill is taken up, I will get an opportunity to speak.

MR. DEPUTY CHAIRMAN: I told you that Members who are absent, they will lose the priority. So, on the next day, when the Bill is taken up, your Bill will be taken up on priority, provided the President's recommendation is received.

DR. T. SUBBARAMI REDDY: I will pursue it with the Office of the President to give the recommendation.

MR. DEPUTY CHAIRMAN: Okay. Therefore, the next item is...

अल्पसंख्यक कार्य मंत्रालय के राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री मुख्तार अब्बास नकवी): उपसभापति जी, ऑनरेबल मेम्बर्स, जिनका नाम लिस्टेड था, वे प्रेजेन्ट नहीं हैं, लेकिन अभी इस लिस्ट में एनिमी प्रॉपर्टी वाला बिल लिस्टेड है, इसलिए आपसे रिक्वेस्ट है कि इस बिल को ले लिया जाए।

MR. DEPUTY CHAIRMAN: The only thing is the House should agree because it is a Private Members' time up to 5.00 p.m. Since all Private Members' Business is disposed off, and, therefore, the next item in the 'List of Business' can be taken up. I hope the House agrees.

SOME HON. MEMBERS: Yes.

MR. DEPUTY CHAIRMAN: Yes, the House is agreeing to it.

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, most of the Members belonging to various political parties have left.

MR. DEPUTY CHAIRMAN: That is not my job. It is in the List of Business. What do I do?

SHRI JAIRAM RAMESH (Karnataka): Sir, this Bill is an important Bill.

MR. DEPUTY CHAIRMAN: Maybe, it is in the 'List of Business'. What do I do? This is an important Bill.

SHRI JAIRAM RAMESH: Sir, it is an important Bill, and a controversial Bill. It should not be passed through this manipulation ...(Interruptions)...

SHRI MUKHTAR ABBAS NAQVI: Sir, the Select Committee has already given its Report. The Select Committee of this House has given a unanimous Report.

MR. DEPUTY CHAIRMAN: Jairamji, there is no manipulation. It is listed in the 'List of Business'. Every Member knows it. So, what can I do? If it is listed in the 'List of Business', I will have to take it up. What else is the meaning? I appreciate and agree with Jairam Ramesh that it is a very important Bill, but it is for you take care of.

SHRI JAIRAM RAMESH: Sir, it is also a controversial Bill. It is an important Bill. It is a Bill that is coming through subterfuge.

MR. DEPUTY CHAIRMAN: What do I do?

SHRI MUKHTAR ABBAS NAQVI: Every Bill is important for us. Hon. Member, Shri Jairam Ramesh, I would like to inform you that every Bill is an important Bill; and this Bill is also important. The Select Committee has already submitted its unanimous Report.

MR. DEPUTY CHAIRMAN: Mr. Jairam Ramesh, please tell me if the Bill is listed in the 'List of Business', and if there is time, what the Chair should do? The Chair has to take it up, if you want to dispose of the Bill, you can do it. If you want to reject it, you can do it. But the Chair can't say, 'I will not do it'. I have to do my work. You take it up with the Government.

SHRI SUKHENDU SEKHAR ROY: So far as the position of the Chair is concerned, there can't be any dispute which you have stated. But the only thing is that the Leader of the Opposition is absent, Chief Whip, Deputy Leader...

MR. DEPUTY CHAIRMAN: What can I do?

SHRI SUKHENDU SEKHAR ROY: I am coming to that. Except the Ruling Party Members, all the leaders, deputy leaders and chief whips of the political parties are absent. Who will speak on behalf of different political parties? Possibly that is yet to be decided. I appreciate that it is in the list and some time is left. I appeal to the Government and the ruling party only half-an-hour time is left, we can adjourn the House and this could be taken up on the next sitting day. It is not that the Bill will not be taken up or the Bill will not be discussed. It will be taken up and it will be discussed. Only the problem is everybody thought that so many Bills are there on Private Members' day and this matter would not be taken up. That is the position. That is why I am requesting the Government, through you, Sir, let them consider that the matter be taken up on Tuesday. That is my appeal to the Government.

MR. DEPUTY CHAIRMAN: The point is when I was in the Lok Sabha, during Question Hour, usually four or five questions would come. Usually, four or five questions would be taken up. One day, it so happened that many Members were absent, and the 20th Question came up; the Minister was not there. The reply given was, "How do I know that all these twenty Questions would come up?" But it is not the fault of the Chair. It just so happened. So, if the Members are not there, what can I do? If the Government says it should be taken up because it is listed in the List of Business, then, I have to take it up. If there is anything else, let the Government speak. What is the Government's view? The Government can react to what the Members are saying.

SHRI MUKHTAR ABBAS NAQVI: Sir, as far as this Bill is concerned, it is already listed. That is number one. Then, secondly, the Select Committee of this House has already recommended this Bill. Representatives of every political party were there in the Select Committee. So, then, इस पर डिस्कशन शुरू करेंगे। डिस्कशन होने के बाद जो भी डिजीजन होना है, वह हाउस को करना है। ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Sukhenduji, listen to me.

SHRI P. BHATTACHARYA (West Bengal): Mr. Deputy Chairman, Sir, there is no quorum.

MR. DEPUTY CHAIRMAN: That is a different thing. I will confirm about the quorum. But listen to me. *...(Interruptions)...* Please sit down. I will allow you. Sukhenduji and Jairamji, I understand the point you are making, that many of the Leaders and Members are not here today. But let me tell you, it is not the concern of the Chair. You should know that. The Chair has to go ahead as per the List of Business. Yes, once it is listed in the Business, if the whole House says that it should not be taken up, I can go by that. Here, the whole House is not saying that. Treasury Benches are saying that it should be taken up. So, my duty is to take up the Bill. You can call other Members and ask them to come. That is the only way.

Does the Leader of the House want to say anything?

SHRI MUKHTAR ABBAS NAQVI: Sir, the Minister is there. *...(Interruptions)...*

SHRI T. K. RANGARAJAN (Tamil Nadu): Just a minute, Sir. I want to make a request to you and, through you, to the Leader of the House that you should postpone this. Please, take it up on Monday or Tuesday. I request the Leader of the House. There are no Members here. Those who had given their names have left. I request the Leader of the House to postpone this.

THE MINISTER OF CHEMICALS AND FERTILIZERS, AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI ANANTHKUMAR): Sir, we should not be wasting the time of the House.

SHRI JAIRAM RAMESH: Sir, this Bill is important. This Bill is controversial. It has gone to the Select Committee. The Select Committee has given its Report. Members from all political parties were present in that Committee. But, unfortunately, today, for a variety of reasons, almost the entire Opposition Benches are empty.

MR. DEPUTY CHAIRMAN: Whose fault is this? They are expected to be here.

SHRI JAIRAM RAMESH: Let me finish, Sir. I am not objecting to the taking up of this Bill. I am just saying that we should not take it up today; we should take it up when Members are present, and we should have it passed. That is what I am requesting. I am not saying that we should not take it up. *...(Interruptions)...* And, Sir, I apologise on behalf of everybody who should have been present and who is not present.

THE LEADER OF THE HOUSE (SHRI ARUN JAITLEY): Sir, every hon. Member knows that this originated as an Ordinance. As far as an Ordinance is concerned, there is a life of an Ordinance, after which the Ordinance lapses. That date is also very near. On the 14th, the Ordinance would lapse. Therefore, this has to be decided one way or the other before that date so that the Government knows whether it is a law or not a law. Then, to say that people have voluntarily abstained them, and so we should not take it up, even knowing fully well that there is an outer date by which an Ordinance has to be approved or disapproved, is not proper. The Member who is seeking disapproval of the proclamation is also present. Let him start on his disapproval.

MR. DEPUTY CHAIRMAN: Well, in that case, those who do not agree with this, can exercise their vote accordingly. What else can I do, because the explanation is very valid? So, we have to take it up and decide either way.

Therefore, I am taking up the Statutory Resolution of Shri Subbarami Reddy. Please move your Resolution, if you want to.

STATUTORY RESOLUTION

Disapproving the Enemy Property (Amendment and Validation)

Fifth Ordinance, 2016 (No. 8 of 2016)

DR. T. SUBBARAMI REDDY (Andhra Pradesh): Sir, I move:—

“That this House disapproves the Enemy Property Amendment and Validation) Fifth Ordinance, 2016 (No. 8 of 2016) promulgated by the President of India on 22nd December, 2016.”

Sir, I have moved the Statutory Resolution disapproving the Ordinance as a matter of Parliamentary principle. Actually, the Enemy Property (Amendment and Validation) Fourth Ordinance, 2016, was promulgated by the hon. President on 28th August, 2016. But I am not able to understand the purpose of this Ordinance. This is the fourth Ordinance that was issued in the year 2016.

MR. DEPUTY CHAIRMAN: You have moved the Statutory Resolution! That is enough. Now, we will take it up.

DR. T. SUBBARAMI REDDY: Sir, I want to speak. I have a right to speak.

MR. DEPUTY CHAIRMAN: Okay.