

MR. CHAIRMAN: The question is:

"That clause 2, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

**Clause 1**

*Amendment made:*

Page 1, line 3,—  
for "(Amendment)"  
substitute "(Second Amendment)" (5)

(Shri Ramakant D. Khalap)

16.00 hrs.

MR. CHAIRMAN: The question is:

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

MR. CHAIRMAN : The question is :

"That the Enacting Formula and the long Title stand part of the Bill."

*The motion was adopted.*

*The Enacting Formula and the Title were added to the Bill.*

SHRI RAMAKANT D. KHALAP: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

16.01 hrs.

**JAMMU AND KASHMIR BUDGET, 1996  
AND  
DEMANDS FOR GRANTS—JAMMU AND KASHMIR**

[English]

MR. CHAIRMAN: Now, we shall take up item Nos. 3 and 10 together.

Motion moved:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the Fourth column of the Order Paper, be granted to the President out of the Consolidated Fund of the State of Jammu and Kashmir to *complete* the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1997, in respect of the heads of Demands entered in the second column thereof against Demand Nos. 1 to 27."

**Demands for Grants—Budget (JAMMU AND KASHMIR) for 1996-97 submitted to the Vote of Lok Sabha**

No. and Name of Demand		Amount of Demands for Grants on Account voted by the House on 12.3.96		Amount of Demands for Grants submitted to the vote of the House	
		Revenue Rs.	Capital Rs.	Revenue Rs.	Capital Rs.
1	2	3		4	
1.	General Administration Department	14,13,17,000	1,35,30,000	14,13,18,000	1,35,30,000
2.	Home Department	149,76,47,000	3,59,45,000	209,76,46,000	3,59,45,000
3.	Planning and Development Department	2,80,66,000	2,95,85,000	2,80,66,000	2,95,86,000
4.	Information Department	2,68,27,000	32,18,000	2,68,27,000	32,17,000
5.	Ladakh Affairs Department	63,09,62,000	32,89,12,000	...	...

1	2	3		4	
		Revenue Rs.	Capital Rs.	Revenue Rs.	Capital Rs.
6.	Power Development Department	294,52,73,000	141,19,29,000	294,52,74,000	141,19,29,000
7.	Education Department	195,04,64,000	8,04,38,000	195,04,63,000	8,04,38,000
8.	Finance Department	88,19,89,000	2,20,00,000	88,19,89,000	2,20,00,000
9.	Parliamentary Affairs Department	95,31,000	—	95,32,000	—
10.	Law Department	7,82,17,000	—	7,82,17,000	—
11.	Industries and Commerce Department	22,67,73,000	22,15,87,000	22,67,73,000	22,15,88,000
12.	Agriculture, Rural Development & Co-operatives Department	46,86,46,000	30,73,98,000	46,86,46,000	30,73,98,000
13.	Animal Husbandry Department	25,93,34,000	4,59,86,000	25,93,34,000	4,59,86,000
14.	Revenue Department	42,82,15,000	1,23,40,000	42,82,14,000	1,23,39,000
15.	Food, Supplies and Transport Department	31,71,00,000	279,01,02,000	31,71,01,000	279,01,02,000
16.	Public Works Department	72,53,16,000	38,29,44,000	72,53,16,000	38,29,44,000
17.	Health & Medical Education Department	86,63,97,000	9,25,85,000	86,63,97,000	9,25,85,000
18.	Social Welfare Department	12,91,10,000	4,73,77,000	12,91,09,000	4,73,78,000
19.	Housing and Urban Development Department	15,96,39,000	25,75,09,000	15,96,39,000	25,75,08,000
20.	Tourism Department	6,63,18,000	5,78,33,000	6,63,17,000	5,78,33,000
21.	Forest Department	27,38,73,000	12,01,61,000	27,38,72,000	12,01,62,000
22.	Irrigation & Flood Control Department	35,61,50,000	19,72,83,000	35,61,51,000	19,72,82,000
23.	Public Health, Engineering Department	50,11,53,000	20,69,72,000	50,11,53,000	20,69,72,000
24.	Estates, Hospitality and Protocol, Parks & Gardens Department	9,55,27,000	1,07,78,000	9,55,28,000	1,07,78,000
25.	Labour, Stationery and Printing Department	6,04,10,000	8,91,23,000	6,04,10,000	8,91,24,000
26.	Fisheries Department	2,56,86,000	1,15,05,000	2,56,86,000	1,15,05,000
27.	Higher Education Department	27,84,74,000	4,87,28,000	27,84,74,000	4,87,27,000

SHRI JAG MOHAN (New Delhi): Thank you, Madam, for giving me this opportunity. The Budget provision is quite substantial and I have not much to say about the inadequacy or the adequacy of the provision. The main point I would like to emphasise is how all the money that is provided is actually spent.

In 1947-48, when Jammu and Kashmir State acceded to India, the total Budget provision was about Rs. 4.8 crore only. Now, it is about one thousand times more than what it was earlier in 1947-48. The main point to be considered is how this money is being utilised. I would say that, in absence of effective civil administration during the last few years, and even earlier, a lot of money that was provided had not gone in the right channel or in the positive channel—particularly, during the days of insurgency. Whatever liberal amount was provided has, in fact, gone to feed terrorism. It has gone into the wrong hands, and also the recruitment that has been done with the extra amount that was made available has only helped the militant and terrorist bodies. The contracts have been taken by them and so many other advantages have been reaped by them. So, if the hon. Finance Minister is really serious about proper management of finances in Jammu and Kashmir, he has to ensure that a very effective, honest and result-oriented administration comes into being at the earliest possible. Otherwise, the liberal financial provision might be counter-productive. That is the first point I would like to make. If the newspaper reports are correct, the hon. Finance Minister himself has criticised the fiscal management of the State and has expressed his dissatisfaction over it.

Another point which I would like to make is that we must understand that the entire plan money is made available by the central kitty. About 40 to 50 per cent of non-plan expenditure is also made available by the Central Government. Therefore, it is all the more incumbent on us to ensure that this money is properly utilised. In fact, the Government of India has not been able to bring home to the people of Jammu and Kashmir the fact that they are receiving a very liberal financial assistance from the Centre. Whereas the population of the State is 0.8 per cent of the total population of the country, it has been getting financial aid to the extent of three to four per cent of the total central allocation. So it is a big gap and this point should have been brought home to the people saying, "look, the Government of India is and has always been treating Jammu and Kashmir as a special case and has been most liberal in so far as the State is concerned."

The other point which I wish to mention at this stage is that if there is no effective control and if even the normal norms of administration are not involved, then the result will be lop-sided. When I say that you do not have

an effective civil administration, I would only quote a recent example of the Lok Sabha elections. When the Lok Sabha elections were held in the State, the Government servants did not work, did not cooperate and about 10,600 employees were brought from outside the State to do the job. Imagine the expenditure that was incurred on them. So many bullet-proof cars were brought; so many bullet-proof jackets were brought. And those who did not cooperate were let off and no action was taken against them. The issue is about the type of attitude of people. All that money that is being spent will go waste and will produce contrary results because you are encouraging an attitude which encourages indiscipline, which encourages them to do anything and get away with that. This type of attitude is counter-productive.

I am very sorry to say that now we are very loosely talking of maximum autonomy or 'Kashmir short of *Azadi*' without realising the 'financial aspects involved' in it. If you go back to 1952 or 1953, then do you mean that you will not have any financial integration between the State and the rest of India. No one is asking the question as to what will happen if there is no financial integration, what will be the consequence of this? No one is asking this. Everyone is asking about maximum autonomy and giving a false hope. What would be the result of it? I have the latest bulletin of the Reserve Bank and I will quote some figures from this latest publication of the Reserve bank, December 1995. According to it the per-capita central assistance for 1994-95 was Rs. 3,010 crore for Jammu and Kashmir as against Rs. 190 crore for Bihar; Rs. 305 crore for Tamil Nadu; Rs. 385 crore for Rajasthan and Rs. 341 crore for U.P. So this is the gap, this is the difference. Just imagine this. In case of Jammu and Kashmir 90 per cent of this assistance is in the shape of grants and ten per cent is in the shape of loans. While in respect of four other States, 30 per cent is in the shape of grants and 70 per cent is in shape of loans. Our distinguished friend from West Bengal always mentions about more autonomy without realising what it would mean if financial integration is no longer there in Jammu and Kashmir.

Likewise, per capita non-Plan grants for Jammu & Kashmir in the same year comes to Rs. 720 crore while it is Rs. 72 crore for Bihar, Rs. 23 crore for Tamil Nadu, Rs. 81 crore for Rajasthan and Rs. 23 crore for UP. Now all this shows the tremendous gain that has flowed to Jammu & Kashmir.

Now those who are talking of the maximum autonomy should think, what will happen if this financial integration is no longer there. Who is going to foot the Bill? Obviously, someone else will come in, fill in the gap. And, who will be the foreign power that will be trying to fill in the gap? Why are they encouraging this attitude? Well, I leave it to your imagination.

The other issue is this. You say that 'we will give everything'. Every power is given to the Jammu & Kashmir—autonomy. But what is the nature of that 'autonomy' If you say, "All right. We will continue our financial assistance and the rest of the powers they can have." Supposing, you give them all the civil law powers they will say, "we will have *Shariat* as our Law. We will have the same type of Law as Pakistan has got—Islamic Law." If you give them the autonomy, they will be able to do so because there is a considerable element which is in favour of that.

Now, have we considered the implications of it? If you go on giving the money and that power, it means that the secular India will go on financing a theocratic State. Have you understood the consequence of it? What will happen? These are all inter-linked issues. By talking about this, we are creating a lot of problems in Jammu & Kashmir for the future.

Then, take another case. When you say this, what will happen to Article 356? But if the State does not follow any of the instructions relating to Defence, relating to Communications, relating to External Affairs or some other things, what is the remedy available to you, particularly, when you are giving '*Sadr-e-Riyasat*' a sort of different hallow—I mean—above the President? So far as he is concerned, he will be the '*Sadr-e-Riyasat*'—the President of the State—and he has to be recognized by the President but, has to be elected by the State Assembly. Supposing, he does not listen to the President's advice, what will happen? Or you say, "All right, the President withdraws the recognition." Then, supposing, if the State Assembly again elects the same person, what will happen? You will create a constitutional deadlock which will be unresolved.

So, my point is, why are you creating all this trouble? In fact, if you ask me, honestly it is not the lack of power but it is the surfeit of powers that has led to the present problem. Giving them too many powers and allowing them whatever they like, you have created a lot of regional discrimination in the State.

Both Jammu and Laddakh are feeling very aggrieved because the Valley people get all the veto because they are the virtual decision makers in all respects. You make the money available but how do they allocate it? That depends upon them. At least, up till the time, when the Laddakh Regional Council was created, this has been the position, Jammu is still having the same position. I am not saying that Kashmir Valley should not get all that but we have to be fair to every region. That is also very important.

Now, why is this discrimination? About the election law, Jammu & Kashmir has got a separate election law.

Although there is a provision for supervision by Election Commission of India, they have their own election law. I will just give you some figures to make my point more clear. For every 1.4 million people, Jammu gets one representative in the Lok Sabha whereas in Kashmir, for every one million people there is one representative. Therefore, by this delimitation of the Constitution or you can say constitutional manipulation you get more representatives from Kashmir than from Jammu although the population figure may justify allocation of larger number of seats to Jammu.

#### 16.15 hours

(MR. DEPUTY-SPEAKER *in the Chair*)

Therefore, this is a sort of manipulation. That was for the Lok Sabha. For the State Assembly also the same thing is repeated. For ninety thousand population, Jammu sends one representative whereas for seventy-three thousand population Kashmir sends one representative. So, *vis-a-vis* the population, the number of representatives is much more in Kashmir than in Jammu. Why do we create this imbalance and heart burning among the people? What are the figures for the last so many years? In terms of area, Jammu is much larger than Kashmir, but the length of road there is much less. If you compare the two figures you will find that whereas Kashmir has 15,853 sq. kms. area, its Road length 5000 kms. But in the case of Jammu whereas the area is more, 27,000 sq. kms., its road length is only 3700 kms.

Ladakh, which was discriminated earlier, of course now has a separate Council. I hope substantial funds have been made available to Ladakh Council. I am not saying that Kashmir should not get what it has been getting. But it should be ensured that everybody gets a fair share of the central allocation.

About the autonomy or the so called decentralisation of power I would like to make one thing clear that no one is against it. But we must make a distinction between the autonomy that leads to efficiency, that leads to speedy development, that leads to enlargement of human personality and creative potential of the community and the autonomy that leads to subversion, terrorism and separatism. There is a lot of difference between the two. I do not understand why we should create this difference in so far as other States are concerned *vis-a-vis* Jammu and Kashmir. After all the need for speedy development is everywhere, the need for efficiency is everywhere, the need for enlargement of human personality is everywhere. The creative potential has to be encouraged, which is also common. But why do we create a situation which encourages separatist tendencies? We should see that all that we are investing, all that we are spending in J&K produces concrete results because there is no emotional integration or national integration in the real sense. The fact that this is a sort of appeasement is very evident. If

the Government had been really sincere in giving more power to the States or ensure decentralisation, it should have accepted the Sarkaria Commission's Report long ago.

In the case of Delhi, the State status has been accepted. But every effort has been made to ensure that the State does not get any power at all. It has no control over the land, it has no control over police, it has no control over the Delhi Development Authority; nothing. If the Government believes in the philosophy of decentralisation, then it is understandable. But if you are doing it as a sort of appeasement in J&K, then it is not at all understandable. Then you are creating a separatist psyche, you are whetting the appetite of the aggressors. This is what we must understand. It was unfortunately, not being understood in spite of the problems that we have got.

Now the real problem is, with all the amount that is being made available we have to ensure that there is an effective integration between the State and the Union. What are we doing? We are going the other way round.

All right, let us see whom could we give regional autonomy to. There is no such unit. For example, if we take Jammu, it is not a homogeneous unit; Rajouri and Poonch are not the same; Doda district is not the same; and even Udhampur is not like other areas. Then, there are Gujjars, Bakerwals and other castes. You cannot really subdivide and give autonomy to the various other units. If you do that, you would create innumerable claims and counter-claims, which you would not be able to resolve both in the Valley and in the Jammu region.

In Ladakh, the case is similar. Ladakh has been given a Council. But Kargil has remained separate. This type of an attitude is not going to serve any purpose. You may say that we want to give encouragement to ethnicity. This would be counter-productive. But what is the real problem? The real problem is the elimination of poverty, ignorance and disease. Instead of attending to and attacking that problem, we are going astray and allowing everybody to think in separatist terms. Those who do not get into the power structure will go on creating problems here and there by taking up some small issues. In Rajouri, Poonch, Doda and Udhampur, there are many castes and subcastes. The claims will be unending. All the money and administrative energy which we should be spending on positive work would go waste.

In fact, we will add to our problems the problems of claims and counter claims. So, if we really want to help the people of Jammu and Kashmir, we have to create an environment in which real development takes place, effective development takes place and effective integration

takes place between Kashmir and the rest of the country. We must emphasise the integrative links between the States and the Union.

For example, if you see the five thousand years of Indian history, you would see the various signs of Indian culture in Kashmir. Very many scholars have pointed out that if you want to see the best of Indian civilization, you have to see it in the ruins of Kashmir. Do you know why people go to Amarnath Yatra, why Shankaracharya went from Kerala to Kashmir, and why Swami Vivekananda went there? Even now people in Tamil Nadu get up in the morning and pray looking at the direction of Kashmir, saying, 'Sarda Devi, give us learning'. There are integrative links which no one teaches or include them in any of the text books.

What is the place of Kashmir in the Indian vision? Why was it that even Subrahmanya Bharati said. "Kashmir is the crown of Mother India and Kanyakumari is her lotus feet". We have not taught our youngsters any of this. We have not told them what the relationship is. This is the abiding relationship between the Union and Kashmir. But what we do is only to refer Article 370. It is unfortunate that Article 370 has now become a problem, a millstone around our neck.

Now, everybody is talking about liberalisation of the economy. Government's are opening up but in Kashmir, you want to block more. If there is no investment from outside, how will Kashmir prosper? You do not want the people from the other States to go and invest there because of the various restrictions that have been imposed. Therefore, even if you say that you would give or grant some special dispensation, that is not going to help. So far, it has not helped. Therefore, make the State as good a part of the union as other States. That is the way you can solve the problem of Kashmir and ensure that all the money that is being spent is well spent. There is a future. I must express my apprehensions. Elections are now going to take place.

We want the elections to be successful. But elections are not an end in themselves. Elections are means to an end. We must ensure that real peace takes place after that. This will take place only if you build an effective civil administration in the State. This has not been done and this has not been attended to. Unless that is attended to, the problem would remain, whether you hold elections or not. Now, this type of false hopes are being created about autonomy, strengthening of Article 370 and so on. When elections are held, a particular group would come to power and those who are left out of that power structure, would create innumerable problems. We must acquire an effective attitude to deal with them effectively.

I would leave other points for my colleagues to deal with. What I would like to say is that we must ensure

that the money that we spend is effectively spent. This would not be possible unless we have an effective civil administration and all the talk about maximum autonomy is going to create further problems. Let us be more clear about our objectives. Let us not create false hopes and later on cause some sort of frustration and more problems for us in the future.

SHRI RAJESH PILOT (Dausa): Mr. Deputy-Speaker, Sir, I share some of the opinions expressed by our colleague from BJP, Shri Jagmohan, especially his opinion about financial situation being not proper in the past. The reasons are well-known that accountability was not in the system at all. We were trying to bring accountability in the system. But when the system was just gearing up, the Government had fallen and President's Rule was announced.

I would touch his other points at a later stage. I think within a month we will have an elected Government there. Some provisions, if possible, should be left available for the elected Government because they are going to fix the priorities. We are going to have a Government after nearly nine years and the State has passed through a very hard time.

I have come back from Kashmir just two days back. Let me tell the House how our brothers and sisters are facing the gun culture today to save the democratic values of the country. The people of Jammu & Kashmir have proved to this world that India loves democracy and India stands for democracy. They are voting when there is a threat that they would not be allowed to sit there and their hands would be cut. Such threats are being given by foreign powers and militants aided by them. Still the voting percentage has gone to 53 per cent in the last two or three days of elections in Kupwara and Baramullah. The response for democratic values is a clear signal as to how our brothers and sisters in that part of the State are brave enough to face these challenges. So, let us keep something available to the elected Government because they are going to fix the priorities.

I personally feel that the power structure has been totally neglected in the past. Some of the major power projects which were started, did not pick up well due to the insurgency and militancy in the State. Today power is one of the main requirements of the State. Tourism did pick up during 1983-85, but due to militancy it has again come down. It is a major industry in Jammu & Kashmir. Tourism has to be developed so that the country could earn foreign exchange. This industry provides livelihood for the majority of the people in Jammu & Kashmir. So, I would request that some portion of the plan allocation should be made available for the elected

Government to have their own priorities. The new Government can have discussions with the Planning Commission after they took over when the elections are completed.

Sir, I differ with Shri Jagmohan on two points. He has said that the formula for Jammu & Kashmir is different. Yes, it is different and the reasons are known as to why it is different. He was the Governor when the formula of 90 per cent grant and 10 per cent loan was approved.

This is the Government which approved this in 1989. It was during this time that this formula was proposed and approved by the Central Government. We appreciate that and it was the need. But again, if the utility of the funds is done to the right degree, then the purpose would have been served.

Unemployment has been one of the causes in that Valley. In some of the rural areas which we visited, they have pointed out that unemployment was one of the causes of even militancy. If Shri Jag Mohan would recollect, in 1986 or in 1987—this was picking up from that time—Jamaiet-e-Islam has started moving to the rural areas, picking up young children, brainwashing them on religious grounds. We had that information. It is unfortunate that even being in Government we could not control that situation and openly persons were saying, "You are to go to that side." There were signals available at that time. But the administration and the system which should have stopped them, did not stop them but increased them.

So, I would at this moment say—when the Budget is being proposed here—that when the elected Government comes, there would be some steps which they would take. As he has said, election is not the end; and I share with him. The way the foreign powers are trying to destabilise us in that part of the country, they would continue to do that. What has been done, just the day before yesterday? They picked up the children who were wearing ferons and said that they would give them Rs. 100, but they were to throw a hand grenade on any jeep coming there or the bus coming there. That sort of a policy and that sort a tactic is planted in that State. So, the new Government has to take some initiatives to curb these activities of organisations like Jamaiet-e-Islam or any other organisation which has been the root cause of militancy which has been propping the militant outfits like Hizbul Muzahideen or Iqwan or any other outfit which has total links with those organisations.

So, I would request that some sort of a step has to be left to the elected Government because they could come out with some new schemes. They would come out with the implementation of law and order, etc., in that form.

I have one point to make about industry. The industrial growth was picking up in 1982 or 1983 very well in Kashmir. I would not agree with Shri Jag Mohan that investment was there from outside. There were industries in electronics, there were people who had set up industries there. But he would bear me out. Sometimes, untimely signals given by politicians also had spoilt the situation. You may immediately blame me that it was not the BJP which was there then. But I must humbly request you and say that Article 370 was sustaining from 1952 onwards. But you never spoke in 1955, you never spoke in 1960, you never spoke in 1967 and you never spoke in 1970. But you suddenly started speaking about Article 370 in 1989 in the whole country; and it spread like a fire.

It may be wrong and I am not saying about that. According to you, it may be wrong. But time has to speak the language and sometimes, you have to see where the national interest lies. You have said in UP that one can buy a land in Etah, one can buy some land in Lucknow, but one cannot buy some land in Kashmir as if it is not our country. Such sentiments created a lot of problems for us. Why am I saying this? You may not agree with my view and may not agree with your view also. I am not saying that. But from the national approach, you have to time and you have to see the occasions.

You are the same person—when your Government took over the country for 13 days—who said that Article 370 is not on the agenda and Ram Mandir is not on the agenda. So, that is not the language which should be spoken at a place where it is going to harm our national interest. You yourself have said that for votes, sometimes, you do all this. I would request and say that there is a way. When Article 370 was thought over, even Pandit Nehru or the people on the scene, must not have thought over it for so long. Why have those people not come to the mainstream? Why has alienation taken place? We have to think it over. Why could we not bring them into the mainstream? We had been crying and I would still suggest to the House that till such time you do not involve the people, the young people from Jammu and Kashmir in the mainstream of the country, the position would not improve. Why can we not have them in the higher services? How many people of Jammu and Kashmir have been selected for the higher services? No. It is very negligible. There are public sector undertakings all over the country, but how many of them have joined them? Yes, there is the factor that they also do not want to come out from there, because they have such a climate, such an easy job available to them at that moment. I agree with it.

He has said that the rate of financial help given to them per capita is much higher, and I agree with it. There is a reason for that. Now with this militancy—I am

on the positive side of it which I am not happily appreciating—a lot of people have gone from Jammu and Kashmir to other parts of the country and settled very well. You go to Lakhimpur in Assam. I found a carpet shop there. In Goalpara also, they are very well settled now. They felt that they were not in this country earlier. But now they feel that this is our country and we are a part of it.

So, let us keep that feeling. We have to see that. Yes, there is a section of the society in Jammu and Kashmir which may not be agreeing on our lines of mainstream. But if majority was not on this line, the election could not have taken place in this form today. And this ratio would not have been voted. So, let us all work on that line.

Today, after the Government takes over, the Central Government also has a lot of responsibilities. I feel, the first and foremost will be about the hurt feelings of the people of Jammu and Kashmir. So many people had died. So, we have to really take decisions which can bring those people closer to us. There should be more transparency in action. There should be more transparency in administration and accountability in administration.

Shri Jag Mohan said that till such time we did not have transparency in administration and accountability in administration, they will not work. There was a rumour in Jammu and Kashmir that outsiders would not be allowed to become DCs or take important posts. Believe me, DC, Srinagar is an IAS officer from outside the State. He is the most lovable officer in Srinagar. Wherever you go, you will hear that he is a very fine DC, a person who can give them justice, a person who can give proper instructions in administrative form. They all appreciate that. But somehow, we—politicians—did not allow it. I would blame the local politics and local politicians more.

Today, all the district headquarters or districts are headed by various officers. Somebody may be from Jammu and Kashmir. He may be from outside. Now, the time is very good. I have gone to two or three districts. I found IAS officers. During my tenure, when I was Minister for Security, I initiated a move with the hon. Prime Minister that young IAS and IPS officers must be sent to Jammu and Kashmir and North-East so that they know about those areas. Otherwise, they get a State cadre. If one is allocated to Rajasthan or Madhya Pradesh or Bihar, he spends most of the time in that State. They do not get time to know the problem areas like Jammu and Kashmir and North-East. It was agreed to.

I hope that this Government follows the policy that after passing from Academy, there should be a minimum tenure of three years for every young officer to go to the North-Eastern States and also to Jammu and Kashmir so that they know that part of our country very well.

So, I would request the Finance Minister to keep that in mind.

Lastly, I have one point. It is a very serious situation even after elections because the forces outside know that Kashmir is a very sensitive part of our country. They have tried their best many times as in 1965 and 1971. I think, internal sabotage is the best policy they have achieved. And they know that for nine years, they could keep us in this position. We have lost many brave soldiers. I think never have we lost soldiers of the rank of Major-General and Brigadier. We have lost them in war. But we have never lost Brigadiers and Major-Generals in peace time. They must have died in an accident or some such thing. But we have lost them on duty. Many young and brave soldiers have sacrificed their lives for the integrity of this nation.

I would request a balanced approach on two counts. One, how should we bring them into the mainstream? There are a lot of people who are in detention. Some of the people do not even know why they are in detention. During my time, I tried my best that within 24 hours, we would tell them why they had been arrested or within 48 hours, we would tell them what was our next course of action. This transparency did come at some level in DCs. But people were already detained in jails here and there. We tried our best. But some of the legal complications came in. We could not really give a very justified answer to this question. Somebody said: "My son has been in jail for three years. What is his fault? What did he do? Shri Pilot, please let me know from the Government side."

In many cases, I could not answer. So, I would request the Government to take a complete picture of it. I am not saying that you release those people who have really gone against the law. But prepare a list. Screen them and once and for all, take a decision that these twenty persons have committed a crime and they shall not be allowed to leave the jails till law clears them. But there are people who are having a case and just some paper work is going on and nobody is ready to take the responsibility. We must clear them so that their feelings are settled and they can start a fresh chapter.

Two years back, the Governor and the administration had started a new scheme that we train those people, who want to come into the mainstream, in some rehabilitation centre and bring them to the right path. There are boys 12 years old or 15 years old. Some of them really did not know what they were doing. They have been misguided by the forces.

Poverty also became a factor. A young boy or a girl from a poor family succumbed to it. I know about the case of a young girl hardly of 16 years. I was touring Srinagar. In the Guest House, a lady was crying: "Shri Pilot, my daughter has been Kidnapped; my daughter

has been kidnapped nearly ten days back." I said: "How old was she?" She replied: "She was 16 years old." I also felt bad.

I called the Company Commander of the BSF and asked him as to where her daughter was. He said that he would tell me separately. He took me separately and told me that she does not want to go home and that she is in detention in the BSF camp. Then I said that they cannot keep her in the BSF camp. Then he told me the whole story that her brother was picked up by militants, her younger brother was picked up by militants and finally, she was also picked up by militants. But she fought with them and ran away from there. She said that she will not go home because they will again pick her up from home. She also said that she wanted to pick up a gun and teach them a lesson as they had damaged her respect and honour. Then, I brought her to Delhi and she was enrolled in CRP. Now, she is one of the sepoys in CRP. So, such cases should be considered. This girl ran away from that militant camp and got one CRP post. If she had taken to militancy, then she would have spoiled her career. But she was honest enough to open up and today, she has a peaceful career. So, let us review them. It is not that everybody who is caught is a militant and that anybody who has got trapped by some means is a militant. Let us open our hearts to them. With that approach, it would be easier to gain peace in Kashmir.

We have said that our party's concern was peaceful elections in Kashmir. There was a feeling that elections would not be fair and free. This was the feeling for the last six to seven years in everyone's mind. I would request the hon. Minister that one round of elections is over. It was very peaceful, fair and free from all sides. We must keep that credibility high. The whole world is watching the elections in Kashmir and we are open to the whole world. Those powers who were saying that India does not want democracy and that India is bulldozing Jammu and Kashmir have been misleading the whole world in UN Conventions in Geneva and other places. That point has been clear. Indians have proved it and Indian Government has proved it and the people of Jammu and Kashmir have proved that we are lovers of democracy and we respect democracy. They are proving it by way of ballot papers in the next two rounds of elections. So, I would request the hon. Minister to see that the arrangements should go in the same manner. We should not make it lenient just because there was 53 per cent of voting in the first round. We should not be lenient on that account.

As far as autonomy is concerned, every party may have a different version. We have been saying, when our Government was in power, and we were of the view that autonomy to a State was a subject which could be discussed and that it would certainly differ from State to

State. Every State cannot have the same autonomy and neither the formula which Mr. Jag Mohan said would be there that 73,000 people have it in Jammu and less people in Valley. If you go to Lakshadweep, we will find that an MP has hardly 40,000 to 50,000 votes and Member from Andaman and Nicobar Islands may have one lakh votes. So, that formula may not be there.

There was a statement and from the Government side, fortunately, the Home Minister had denied it. We were for autonomy jointly for three sectors of the State, that is, Jammu and Kashmir, Ladakh and Kashmir Valley. We are also against any division of the State. We do not want separate autonomy for three sectors. That is the policy of some powers who certainly want division and separate autonomy for Valley, separate State for Ladakh and separate State for Jammu. We want joint autonomy and for that, we have said that we are open to the elected representatives as to which way they want so that the State should not feel that they can prosper with this much of autonomy which the Centre is rejecting. We do not want to become the rejecting partner of that. We want to open and allow what is allowed within the Constitution. It depends on the type of agreement and the elected representatives. But I would request the House to respect the sentiments of the people who have been saying that they should have autonomy to keep their culture and traditions alive. We are open to any kind of autonomy, whether it is administrative or cultural autonomy, but it should be within the Constitution and as a total unit of Jammu and Kashmir. We should never go in for bifurcation like separate autonomy for Ladakh, separate autonomy for Kashmir region and separate autonomy for Jammu. That will involve national security risk because some powers want that. We should be aware of this point.

Lastly, I am happy that allocation has been quite good. But in one sentence, Finance Minister has said that allocation for 1996 has been as per the original plan for 1995-96, that is, Rs. 1050 crore which was the figure in 1995 also. As I have said, the State has faced a very rough weather. Roads are totally broken and bridges are not there except some bridges on the main river built with the help of the Army. Militants have really ruined the State.

So, please keep an open heart for the State of Jammu and Kashmir. We do not mind even if you cut some portion of the Budget of some other States including your State Tamil Nadu for giving to the State of Jammu and Kashmir. But Jammu and Kashmir should be given priority; the State of Jammu and Kashmir needs it and they need it in the real sense because they have upheld the respect of the country by enabling the holding of free and fair elections in the State.

Sir, with these words, I support the Bill.

[Translation]

SHRI SYED MASUDAL HOSSAIN (Murshidabad): The electoral process in Kashmir has commenced and, after some time, the new Government will prepare its own budget. At first I thought of concluding my speech after congratulating the United Front Government for holding the elections in Kashmir and the way the Election Commission is handling the process, and then supporting the budget presented here. However, there are certain issues which have induced me to dilate a little.

Those who used to raise the demands of Uttarakhand and Jharkhand in the House were always accusing that justice was not being done to them and that they would also have to adopt the path of Kashmir and take to arms. I heard that elsewhere also. I would like to add that there is no hill area in the country which has full faith in the Government of India. Right from the North Eastern region to Kashmir, all people of the hill areas believe that justice has not been meted out to them. We have never tried to go deep into their sentiments and that is why we are faced with the problem not only in Kashmir, but the question of Uttarakhand and Jharkhand is also coming up. I would, therefore, urge upon the new Government to think over this question a little minutely and see where it hurts. The hon. Member from BJP raised a point. But the conditions are such that we have perforce to do what we do not actually want. Where the law does not allow it, we have to change the law. Can I cast my vote living in Delhi? But the conditions in Kashmir are such that it became necessary to allow postal voting to the Kashmir Pandits who have been uprooted from their homes. The force of circumstances required it and we had to keep that in mind. He raised the question of article 370 of the Constitution and said that the people of West Bengal are talking of maximum autonomy. The Constitution has provided for this and that is why the people are raising it. In earlier days, the attitude of the Central Government was to grant statehood to whosoever was unhappy and demanded it. If anybody felt hurt and raised a voice, a State was granted. Assam was divided into seven parts. Division of U.P. has already been announced. Jharkhand people are demanding a separate State of their own. Now the question of division of Kashmir has been broached up and we do not know when this voice may turn into a demand for a new State. Our Constitution speaks of autonomy. This is why I say that autonomy may be granted to them. Secondly, so long as article 370 is there, the people of Kashmir are united with us. They are with us because the Line of Control is nearby. The people of Pak occupied Kashmir, which they call Azad Kashmir, are their relatives. They are watching how the people of Kashmir in India are getting their democratic rights. They do not enjoy

democratic rights in Pak occupied Kashmir. Article 370 is the protective shield of our Kashmiri people and so long as it is there, they will have the feeling of remaining united with the rest of India. There are some misguided people there and also some pro-Pakistani elements. But the fact is that a vast majority is with India and wants to stay with India.

Sir, the issue of development was raised. A huge amount of money has been spent in Kashmir, there is no doubt about it. You know more about Kashmir than I. Are there any Primary Schools in the Villages there? It is claimed at the beat of drum that education upto university level is free in Kashmir. But what is the position in Srinagar? Villages do not have even primary schools. Of course, *Madarsas* are there. And where there are *Madarsas*, religious education will be imparted and fundamentalism will develop. There is no doubt about it. The main source of income of Kashmir are tourists. The people of Kashmir are very poor and are being exploited. I went there in 1989. There was nobody there who could purchase walnuts at the rate of Rs. 100 per Kilo. This is how they have been exploited. The money sent from here was swallowed by the State Government. The Central Government has not provided railway line at a place where tourism is the biggest source of income. If Kashmir had been connected with railway line, the situation would have been different. A big tragedy occurred this year in the Amarnath Yatra which created a great flutter both inside and outside the House.

Sir, could there not be a highway upto Amarnath even after 50 years of our independence? If it could be there in Shimla, there is no reason why it could not be built here. The people of Kashmir are dependent upon tourism. The facilities that should have been provided for promotion of tourism have not been provided. The State Government has misused the money, but leave that aside. Why did the Central Government not do anything?

One more point. Hon. Shri Jag Mohan will be remembering when the Kashmir situation deteriorated. In any case, there were clear indications of the situation worsening. The situation started worsening when the Central Government brought Gul Mohammad Khan just like the Punjab situation worsened after the Operation Blue Star. The Indian flag was burnt in 1989 and the foodgrain supply was stopped. Pakistan was not only sending arms, but foodgrains also. The situation in Punjab has improved today. Very small number of militants are now left. The foodgrain supply line is now normal.

Hon. Members have talked about article 370 of the Constitution, but they have not said anything about article 371. If they have no objection to article 371 continuing for the North East region, why do they object to article 370 continuing for Kashmir? We should think over it. Like Uttarakhand, it is also a hilly region. The issue in

Uttarakhand was that of reservation for O.B.C.s. This problem could have been solved with an honest approach on the part of the Central Government. But instead of being solved, the problem has now become complicated. Sir, I want to request the House to stop this run for separate States.

Kashmir is going to polls and who will form the new Government is unknown. But there would be some sensitive responsibilities before the new Government. I am raising this question today. I accept that temples were damaged in Kashmir. But the Government should not ignore who were the people who did it. Kashmiri Pandits had migrated and no priests were left in the temples. There could not be a better place for the militants to hide. The operations that were launched to flush out the militants from there must have caused some damage to the temples. The militants also took shelter in Charar-e-Sharif. They could not have got a better place to hide. Firing was resorted to by the military to flush out the militants from there.

One of the main responsibilities before the new Government will be to provide finances to reconstruct the temples. The other will be to persuade the Kashmiri Pandits, who had become refugees and were scattered in different parts of the country, to come back. It is true that the militants are their enemy, but the common people are their friends. The way that the people helped the Amarnath pilgrims is a clear proof of the fact that the common man has no enmity with the Kashmiri Pandits.

1700 hrs.

It has been repeatedly said that Pakistans' hand is there in what is happening in Kashmir. There is no doubt about it. They do not like our country to forge ahead on way to development. However, I would like to say in this connection that when a child in the family goes stray, who will reform him except the family? Therefore, you tackle the people and they will support you. This has been proved in 1947 when the Muslims and Hindus had unitedly fought the Pakistan aggression and repulsed it. We will have to create the same atmosphere.

Sir, in the end, I would like to refer to Mr. Jinnah's Visit to Kashmir. His sole aim was to unite the Muslims in favour of Pakistan. Perhaps Shri Jag Mohan may recollect that one Maqbool Sherwani raised before Mr. Jinnah the slogan "Kashmiri Hindu-Muslim unity zindabad"; and when Pakistan sent its army for operation in Baramula, Shervani was captured and asked to say 'Pakistan Zindabad', but he shouted "Hindu-Muslim unity Zindabad". The consequence was that a bullet pierced through his chest and he died. Now, neither a State Government is there, nor the Central Government. A memorial should be built at Baramula where Maqbool Sherwani became a martyr. It will not cost much, but would provide a healing touch. At least after 50 years of

independence, honour somebody who had sacrificed his life. You have been awarding Padam Shri, Padam Vibhushan and Bharat Ratan to people who made sacrifices for the country. Therefore, think of doing something for him even if it is late in the day. Conditions in Kashmir are improving. Kashmir always belonged to us, it is ours, it will remain with us. If Pakistan intrudes into Kashmir and tries to interfere in our affairs, it will not be necessary for Delhi to send the army, the people of Kashmir will face it unitedly.

Mr. Deputy Speaker, Sir, I am thankful to you for giving me time to speak.

[English]

SHRIMATI GEETA MUKHERJEE (Panskura): Mr. Deputy-Speaker, Sir, I thank you very much for giving me time to speak. Before I go to other questions, let me congratulate the people of Kashmir for launching the process of peaceful election. Let me also congratulate our Government which had taken steps so that the election could be held properly. I am glad that the next Budget of Jammu and Kashmir will not be debated here. For nine years we have been doing this futile exercise.

Next year it will be different. I am also glad that the allocation is more than the revised budget. That is necessary for Kashmir. I am not going into the details of allocation but I would say that on very important sectors like roads and bridges, etc. allocation has increased considerably.

Now, I would like to say something about the situation in Kashmir, on the question of autonomy to the State of Kashmir and the stand taken by the Communist Party of India because a few days back there was a lot of misunderstanding and misreporting about the stand taken by our Party with regard to the autonomy to the State of Kashmir and its regions. So I want to make it clear that we want that as per Article 370 Kashmir's autonomy be granted. About that we have no reservations and that this has to be given. I am not going into the details. Kashmir has its own history and with the understanding of Article 370, Kashmiri people refused to go to Pakistan, as is said. So that must be honoured.

Regarding other regions, as a whole our stand is this and I quote:

"The stand of Communist Party of India on Jammu and Kashmir is well known ..."

That is the first thing that I said.

"...Even so to clear any confusion, we reiterate that the CPI stand for the integrity of the State of Jammu and Kashmir and its people as an alienable part of India. There can be no question of demarcation or division along the religious lines. As stated in the Common Minimum Programme of the United Front, we stand for resolving the problems of Jammu and Kashmir through giving the people of that State the

maximum degree of autonomy and by respecting Article 370 of the Constitution as well as the wishes of the people. The State Assembly, which will be elected through the forthcoming election can deliberate on the issue of maximum autonomy including the question of setting up Regional Councils for the three regions, if it deems fit and the Parliament can thereafter take an appropriate decision."

So, it is for the Assembly of Kashmir to decide what kind of arrangements they will make both with regard to respecting the feelings of the three regions as well as for the integration of these three regions.

I believe that people of Kashmir have gone through a long experience of various kinds. Therefore, after the elections the Assembly will take all this into consideration and will find a way out to live peacefully along with all the regions in Kashmir irrespective of their religions.

Now, Sir, about Article 370, Shri Musadal Hossain has said, if Article 371 can be there, why all the anger is on Article 370, which actually has, in a way, much more historical significance. The people of Kashmir took a very wise decision on the basis of this at that time.

I would not like to take long time because I know the time is short.

Let us all hope that after the Government is formed, the Government will take care of those who had to come out and to take them back as well as to give necessary employment to the Kashmiri people so that the people are not forced to go in for insurgency or anything.

I fully agree that the people of Kashmir themselves will be enough to see to it that the Pakistani designs are defeated and nobody else will be needed. But what will be needed is our goodwill, what will be needed is our patriotism and what will be needed is our feeling of integration of the whole country. I believe, we shall give that to the people of Kashmir.

I will conclude with one episode. The National Council member of CPI, Comrade Ranjur was asked to come out of Kashmir when there was tremendous insurgency. He refused to come out. He dug his own grave and waited there knowing fully well that on any day he would be slaughtered by the militants. Comrade Ranjur was assassinated. But let me tell you that it was the first time that after Ranjur's death, there was a huge demonstration of Hindus and Muslims together in that area, which had never taken place earlier. Let us understand that there are people who have stood by the people of Kashmir and if we do stand by the people of Kashmir in that spirit, surely Kashmir will go ahead and remain an integral part of India.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Hon. Mr. Deputy Speaker, Sir, Kashmir is the crown of mother India. Jammu-Kashmir is an inseparable part of this country. The hon Finance Minister has presented a budget for the State for the whole year. I wish that the elections to the State Assembly were held earlier so that the elected Government presented its own budget in the Assembly. However, better late than never. The first phase of elections has been completed in which the courageous people of Kashmir participated with full enthusiasm even in face of Pakistani pounding in the border areas. They deserve our special congratulations for this and we hope that the people of Jammu & Kashmir will similarly accomplish the second and third phases of elections through democratic procedure and decide their future, irrespective of the plotting and scheming that may be resorted to by Pakistan and then I.S.I. agents. It would have been better if this Central Government had provided for a temporary budgetary arrangement for the State through some device like Vote on Account and left the main budget and priorities to be decided by the newly elected State Government. However, the budget has to be passed in accordance with the existing procedure. We in our party believe in

[English]

appeasement to none and justice to all.

[Translation]

All sections, communities and religions as also all States in the country should get justice and a policy of appeasement should not be followed to favour anybody. It is true that when Kashmir was merged with India, there was an extra-ordinary situation prevailing due to which a special provision had to be made in the Constitution. But when debate took place in the Constituent Assembly and the leaders were asked to clarify the position, Pandit Nehru had himself declared that article 370 will erode gradually and a day will come when it will no more be erased completely. The merger of Kashmir in India was like the merger of any other State, but ever since the United Front Government came to power, it has created new complications by giving the slogan of autonomy. We do not know whether there were secret confabulations about autonomy between the Prime Minister and Farooq Abdullah or some groups of militants who at one time were prepared for negotiations. Reports have appeared in newspaper that some such talks were held in which the question of restoring the pre 1952-53 position in Kashmir was discussed. I think it would be a mockery to resort to this action because the situation of one country and two flags and one country and two sets of laws is unacceptable.

Sir, ever since the announcement conceding formation of Uttarakhand was made, there have appeared demands of Gorkhaland, Bodoland, Telingana Pradesh, Vidarbha Pradesh, Rohelkhand, Chattisgarh and so on. If special powers were given to Kashmir under article 370, it would not be a right thing. In Punjab, Nagaland and Mizoram also, this notion of autonomy had once gained ground on the reasoning, that they are border States having special circumstances which warranted more rights. Kashmir was granted a measure of autonomy under article 370 and many other facilities were announced, but if an attempt was now made to take the State back to 1952-53 position, the people in the country will not tolerate it. At that time, besides several other restrictions, a permit was required to enter Kashmir, there was a separate flag for Wazir-e-Azam and Sadar-e-Riyasat, and a different Constituent Assembly was set up. Dr. Shyama Prasad Mukherjee had fought against all these. Even now the position is that the President of India cannot acquire land in Kashmir for opening a post office. The refugees who came from Pakistan settled down in various States in the country, but those who settled in Kashmir were not granted citizenship and could not purchase land there under article 370. Things were done at will in Kashmir leading to the emergence of militancy. Whatever money the Central Government gave as grants was misused by the State administration. The money passed into the hands of wrong people and reports have come from some agencies about that money even going to certain foreign countries. That money was to be used for removing poverty of the people of Kashmir by taking up developmental work, setting up small industries, constructing roads etc. The saffron of Kashmir and the high quality carpets made by skillful workers of the State are famous and attract huge crowds of buyers in whatever part of the country they are exhibited. If efforts had been made to develop small industries in Kashmir, this situation would not have arisen. Sir, I put it to the Government whether it is not unfair to talk of autonomy for the people of the valley only, but ignore the people of Jammu and Laddakh.

Sir, during the last 40-50 years, importance has been given to the Kashmir Valley only in the name of Jammu and Kashmir while the regions of Jammu and Leh-Laddakh have been continuously overlooked. Therefore, I want to stress that Government should pay equitable attention to all the three parts of the State, namely, Kashmir Valley, Jammu and Leh-Laddakh. There should be no discrimination against any one of these regions. The development plans should be implemented according to the population of each region. The regions which are large in area but where population is small, should not be discriminated against but treated like any other part of the country and there should not be any hesitation to undertake development activities there.

Mr. Deputy Speaker, Sir, I would like to add one more thing. There are many ex-servicemen who are living

in Jammu and Kashmir and are prepared to take up their own defence against the militants, particularly those living in Doda or other border areas. They have been requesting for arms for self-defence, but no decision has been taken in this regard even after a long time although there is President's rule in the State. They have formed village Defence Committees and want to defend their villages from the militants which they could do only with the help of arms, but arms are not provided to them. Therefore, I would like to urge the Government to supply arms to those ex-servicemen who are patriots and are ready to defend themselves and can take on the terrorists.

Sir, the army should be given a free hand in dealing with the militants and militancy. The militants play into the hands of the enemy, kill innocent people of Jammu-Kashmir, dare to dishonour our mothers and daughters, demolish and put on fire our temples and mosques, destroy the holiness of Hazarat Bal or threaten the Amarnath pilgrims on the strength of foreign arms and with the support of ISI. The para military forces must have a free hand in facing their threat ...*(Interruptions)*

Mr. Priyaranjan Das Munshi, this is very important. The situation today is that those who present themselves as an afflicted party in the name of human rights are heard, but when the soldiers who are on duty are ambushed and killed and when they return the fire in self-defence or when they fire on the elements engaged in destruction, they are accused of committing atrocities. The militants have killed so many people. Our hon. colleague Shri Jag Mohan was the Governor of Kashmir and he tried hard to tackle and improve the situation. But there are some people here who did not like the establishment of peace and tranquility in Kashmir and created sharp controversy on the basis of certain events. The situation that resulted is before you, and you can see what kind of people are ruling the roost. Kashmir had gone backwards and after many years now, the wind of democracy is flowing there. The Lok Sabha elections have taken place and their representatives are here in Parliament who partake in every decision. It is a matter of great satisfaction for us. Assembly elections are now taking place there and the Assembly will soon be constituted. We should be cautious about autonomy. God forbid, if a majority of the elected members to the Assembly reject Kashmir's merger with India, saying that their constitution is different, what will be our position? I hope that this situation will not come, but to extend a blind support to autonomy will be playing with the future of the country. Therefore, we will have to proceed cautiously. The issue of Sadar-e-Riyasat and Wazir-e-Azam has already been forgotten and there is no need to revive it.

SHRI P.R. DASMUNSI: (Howarah): If that happens, we will dissolve it, dont worry.

PROF. RASA SINGH RAWAT: That is something for the future. We should exercise caution in this respect from now. If we take caution now, that situation will not arise. We are already suffering from the bad results by pursuing the policy of digging the well after the fire sets in. There is vicious propaganda being carried on the world over about Kashmir, and Pakistan is using every forum in the world against India on the Kashmir issue. It becomes the duty of the Government to present the true picture to the world through our missions abroad to give a forthright reply to Pakistani propaganda.

Any talks with the militants should be started only on the condition that they accept the Indian Constitution and all its provisions. When they accept that, negotiations can be held to solve their problems, if any. But there could not be any bargain on country's unity and integrity.

Sir, specific provision should be made to provide financial assistance to the families of those of the para military forces who are killed at the hands of militants. Also, there are innocent people engaged in different vocations. Some are doing business, some are traders, some have *shikaras* and so on. The militants sometimes kidnap them or kill their family members, drowning the families in grief. Protection should be given to such families and they should be paid adequate compensation or some member of their family should be absorbed in service.

Nearly three lakh Kashmiri Pandits who had been forced to leave their homes in Srinagar are now living in Jammu, Delhi, Chandigarh and other places. Many of them are spending their lives in tents. They should get financial assistance of an amount which an ordinary family requires for a living. Their children should be provided educational and other facilities. But that is not being done. The Finance Minister should clarify this in the course of his reply. We must be clearly told what arrangements the Government have made for rehabilitation of lakhs of those Kashmiri Pandits who have been uprooted from their homes in Srinagar and compelled to migrate and are now living in tents under tremendous strain and stress, sleeping on the ground with sky overhead, undergoing untold hardships during rains and biting cold. They should be given some guarantees for their security.

Just now, our friend was referring to the facility of postal voting provided to them. Reports have appeared in the newspapers today and in the last two days that the voting procedure is so complicated that the Punnoon Kashmir and other organisations of Kashmiri Pandits have complained that the leaders of the Central Government are holding talks with other leaders about Kashmir, but nobody talks to them about their interests. In view of this, they have decided not to cast their vote. It is, therefore, absolutely necessary that we should simplify

the voting procedure in order to facilitate their participation in the election process and devise ways like setting up of pollings stations so as to ensure that the maximum number of them cast their votes ...*(Interruptions)*

MR. DEPUTY-SPEAKER: Please finish now.

PROF. RASA SINGH RAWAT: I am concluding. At the same time, it is also important that the schools demolished by terrosists ...*(Interruptions)*

MR. DEPUTY SPEAKER: May I request you to please confine your speech to the budget only and not take up other issues.

PROF. RASA SINGH RAWAT: I am coming to the budget ...*(Interruptions)*

SHRI P.R. DASMUNSI: This speech will help removing terrorism. One should speak like this ...*(Interruptions)*

PROF. RASA SINGH RAWAT: Sir, every year we are passing the budget on Kashmir, but it must be ensured that the budgetary allocations are entrusted in the hands of right people so that they are spent properly and bring change into the lives of the common man. As has been pointed out repeatedly, the Central Government was giving grants freely, but they were landing in the wrong hands, the corrupt people. In the result, the poor remained poor and out of frustration from poverty, they took to militancy. So, while we support the large central grants for Kashmir, we demand that these funds should be judiciously spent. The demolished schools have become bases of terrorist. Teachers have been killed by them. The temples damaged by them should be refurbished ...*(Interruptions)* There is the problem of transport also in Kashmir. The Baramula road is closed when there is some rain or the snowfall starts. Provision should be made in the budget for entrusting to the Border Roads Organisation the work of constructing a road parallel to the National Highway which may remain open throughout the year so that the supply line is not disrupted and tourism may be promoted.

Thank you for giving me the time.

SHRI P.R. DASMUNSI: Your speech is like a missile.

MR. DEPUTY SPEAKER: I hope you will confine yourself to budget only.

SHRI P. NAMGYAL (Ladakh): Mr. Deputy Speaker, Sir, I rise to support the budget in respect of Jammu and Kashmir, presented in the House.

As far as budget estimates for 1996-97 are concerned, you have left a deficit of about Rs. 1000

crore. The conditions through which your State is passing, are reflective of the fact that you have brought the budget proposals to the level of last year and have also increased the central assistance in every sector, for which I thank you very much. But the need of the hour is to utilize it properly because in the past, the budgetary support that the central government has been providing, has not been properly utilized due to militancy.

Now the political process has started in Jammu and Kashmir and first phase of election is over. I thank the Government for the process that it has started. General Krishna Rao, the Governor, took personal interest in making arrangements for elections and the security, though the political parties including my own party, criticised him very much. But in Ladakh particularly, the people are satisfied with the arrangements made by him for the elections.

17.32 hrs.

(SHRI NITISH KUMAR *in the Chair*)

We, the people of Ladakh are thankful to him for the interest that he took in the developmental activities in Ladakh. We are also thankful to the state administration and the bureaucrats at the higher level who extended help in our developmental programmes.

We, however, have certain complaints about several sectors which I want to bring to your kind notice. Hon. Jagmohanji raised certain points about the political situation in Kashmir. The employees of the State did not extend their cooperation to the Government at the time of Parliamentary elections and went on strike and when the elections were over, no action was taken against them by the Government. Even now, thousands of employees are on strike. These employees should be asked either to continue in service or quit it and join politics. No leniency should be shown towards them. The Government that comes into power after the elections, should take stern action in the matter or it will be hard put to run the administration. So far these employees have been given a free hand with the result that they had a hand in militancy and in political situation in Kashmir. The Government has always been compromising with these employees because of its weakness or whatever it is. In my opinion, such a thing should not happen in future. As far as budget is concerned, Jagmohanji mentioned about the plan and non-plan per capita expenditure. I feel that due to present security problem in the State, the per capita expenditure there may rise. The Government should monitor whether the expenditure has been made properly. Besides, the Government should also keep a watch on the per capita income. Though the expenditure has been on the high side, the benefits have not reached the people proportionately.

There has been rampant corruption in the state. The new government will have to pay attention to it. I am in agreement with the point raised by Shri Rajesh Pilot that there should be flexibility for the new Government for bringing about necessary changes so as to meet the aspirations of the people there, on the lines of the suggestions put forth by the newly-elected members. There has been a reference to the question of autonomy. Even the Government earlier spoke about the greater autonomy. But it has not been spelt out as to what type of autonomy it will be. As far as the people of Ladakh are concerned, it is being said that the position prior to 1953 would be restored. The National Front has mentioned it in their election manifesto as well. We oppose it. The political problems about the developmental activities of the people of three regions have not been sorted out in a proper manner. As far the position of 1953 is concerned, all the subjects except communication, defence and external affairs will be with our State. In that case, we will not be able to get proper justice.

There goes a saying that a person bitten by the snake dreads even a rope. Therefore, we shall have to consider the matter very coolly. We shall oppose the provisions of Article 353. Besides, as far as greater autonomy is concerned, the Central Government should categorically state as to what it wants to give. We are grateful to the Central Government for giving Autonomous Hill Council for Ladakh region. But the provisions of this Autonomous Hill Council have not been implemented in letter and spirit. No decision has so far been taken about the powers that were to be given. For example, no decision has so far been taken about the status and the powers of the Chief Executive Councillor. This matter is still pending with the State Govt. The difficulties of the people there are not being resolved in true spirit. We have not been able to get what was promised in the undertaking for parity. Besides the autonomous council, we had made a demand for special funding that the grant should be given at one time so that we are atleast able to develop the sources there, solve the problems of communication and other related issues. But the said demand has not so far been fulfilled. We wanted to solve the problems of the people. But our main grouse is that this budget is in no way different from the previous budget.

There was mention of giving autonomy in the Kargil sector. There is a provision that autonomy should be given for the Kargil district as well. But even the people of Kargil have not accepted it. We hope that they would accept it. But as far as budget allocation is concerned, the Government have not made any difference. These

allocations should be need-based. We have divided the Central grant in the ratio of 50:50. It is, in my opinion, injustice. The budget allocations should be based on the needs and not on religion etc. We have always been making this demand and continue to do so in future as well.

The area of Ladakh is 85000 sq. kms. out of which Kargil district is in 14000 sq. kms. The area of Leh district alone, where the Council has been provided, accounts for 50,000 sq. kms. As far as communication is concerned, we need more money for constructing long roads etc. For removal of poverty, more money should be provided for Kargil District. Therefore, we urge the Government to ensure that the budget should always be need-based and not based on religion etc. If there is more agricultural land in some sector, we should provide more money to that sector. If in the other sector there is more horticulture, we should provide still more money there. There is need to study this inequality in a proper manner. As I said earlier, we had demanded one time grant. We are grateful to Prime Minister that he sanctioned Rs. 16 crore for the Ladakh region. We had demanded money for infrastructural development because council had been formed only a short time ago. We infact needed more money but he gave us Rs. 16 crores. He gave Rs. 8 crores to a place where there is council and an equal amount to the place where there is no council. It is not justice. Therefore, we have a complaint against the Central Government as well as the State Government. They have always been sowing seeds of inequality and setting communities against one another, in the name of giving help and in the name of region. We do not want to quarrel amongst ourselves and only want justice. Therefore, the hon. Finance Minister should set up a study-group and send an expert team there which should draw up a need based plan and our new council should be provided one-time infrastructure or any extra grants, if need be.

Sir, the Government have made certain changes in The Peoples Representation Act. But no provision has been made for S.T.s Therein, though there are provisions for S.Cs. Government should make adequate provisions for S.Ts as well. At the time of filing nominations, a money Rs. 5000 has to be deposited by way of security. But in the case of S.Cs and S.Ts., this amount is Rs. 2500 only. In our entire area, S.Ts account for 98 per cent of our total population but no provision has been made for them. The politicians and the bureaucrats have always been treating us in such an unjust manner.

In the end, I would like to submit that in our region, the Buddhists and Muslims live in equal strength. Parliamentary elections here are fought on communal lines

because in one district the Muslims dominate and in the other the Buddhists. Therefore, I suggest that at the time of next delimitation of constituencies whether it takes place in the year 2001 or earlier, there should be two separate constituencies for Ladakh region. Whenever elections are held, under clashes take place between the two communities, resulting in disharmony between the Hindus and Muslims and a setback to our age-old customs. Government should pay due attention to this aspect. Census could not take place in 1991 due to terrorism. The same should take place now. When we prepare our budget on the basis of the census, we should have a special census conducted there. Since what we get is based on the 1981 census, we always incur a loss. With these words, I thank Shri Chidambaramji for providing sufficient funds for J&K this time. But still I feel that the budgetary increase that the Government has made this time appears to be inadequate because sizeable funds are frittered away due to militancy and security problems. Thousands of schools and bridges are torched and they have to be rebuilt. This entails a lot of expenditure. Therefore, I request the Government to reconsider this matter in the light of my submission.

In the end, I would make one more suggestion that the people of Ladakh should be given income tax exemption from the year 1988-89. All the details in this regard have been furnished to Shri Chidambaramji. Therefore, I would request that this income tax exemption should be allowed for next five years.

With these words, I thank you for giving me an opportunity to speak.

MR. CHAIRMAN : Before I call the next speaker to speak, I may inform the House that one hour was allotted for it but we have already taken one hour and 50 minutes. Therefore, we should bear in mind the time. Shri Hannan Mollah.

[English]

SHRI HANNAH MOLLAH (Uluberia): Mr. Chairman Sir, I hope this will be the last discussion on Jammu and Kashmir Budget in this House. I have taken part in all the previous discussions on the subject. So, in the last discussion, with your permission, I would like to take part in the discussion.

I thank the hon. Minister for increasing the allocation of certain aids and priorities which was most necessary. The Central Government has prepared this Budget to be implemented by the newly elected State Government. I do not know how far they will feel it convenient or whether they will be able to have some flexibility according to their new priorities. In any case for one year it will be a problem for the newly elected Government. Anyway, some of the aids, specially the public works, health and family

welfare, employment, are very important ones, after their long suffering in the hands of militants and after massive destruction at the instigation from outside, specially from Pakistan, backed by the United States.

In this situation what I would like the hon. Minister to see is that whatever money has been provided in this Budget by the Central Government is not misused as it used to happen in the past. We have visited the Kashmiri people and every time they complained that not only the money was looted there, but even from Delhi itself it was looted. That means, not only a major portion of the money has gone to militants in the past, but a part of it has been looted by the Government of India officials also. That is one of their major complaints. Mr. Chairman Sir, you had also gone there as a member of the delegation. You know what the people had complained.

Now we have to see that after all this, every single paisa is properly utilised. We can help the newly elected Government to implement the post-war reconstruction programme.

The Central Government had announced certain packages like construction of roads, railway lines etc. and certain other assurances were given by the Prime Minister in this House. This Budget should take care of the needs of implementing those packages.

A lot has been said about autonomy. Although we demanded that the maximum autonomy should be granted, objection is being raised from certain corners of this House. As already mentioned by many hon. Members, the Central Government should also, with an open mind, discuss the issue with them and come to an agreement so that the people of Kashmir can run their State. There should be no confusion; no wrong signal should be sent from the Centre or from any other part of the country. There are a lot of other problems. There are no doctors in the hospitals... (Interruptions)

[Translation]

MR. CHAIRMAN: There are a lot of problems. Leave them and be brief.

[English]

SHRI HANNAH MOLLAH: Finally, I would like to say something regarding Article 370. Again and again, in spite of repeated discussion and persuasion, our friends on the other side are insisting on raising the issue of Article 370. This would help only the enemies when normality is coming back.

Special treatment is being given to Jammu and Kashmir for certain special reasons. History is known to all. Please do not repeat raising the issue of Article 370. The nation is ready to give whatever is due to that part of the country so that the accession of Kashmir to India

is final. Massive participation of the people in the elections has proved that we took the correct decision. The finality of the accession will ultimately be proved in the eyes of the world and all the false propaganda of Pakistan would be thwarted.

After this election, I hope, a new situation will emerge, a new Kashmir will emerge. Kashmir is beautiful and that beautiful land is an integral part of India. It will be more beautiful; it will grow with an all-sided development. We will be able to combat our enemies from across the border. We will be able to defeat all the conspiracies. A new Kashmir will emerge.

[Translation]

SHRI LALMUNI CHAUBEY (Buxar): Mr. Chairman, are you extending the time?

MR. CHAIRMAN: You please sit down. It is not yet 6 O' clock. Does your watch strike six even before it is actually 6 O' clock?

[English]

SHRI SURESH PRABHU (Rajapur): Thank you, sir.

I will be very brief. I would say that I want to seize this opportunity of speaking on the Jammu and Kashmir Budget, probably, for the last time. I hope that I do not get any more opportunity to speak because the Jammu and Kashmir Assembly would be debating that ... (Interruptions)

SHRI SURESH PRABHU: Sir, shall I continue tomorrow?

MR. CHAIRMAN: Yes, you may continue tomorrow. Now the House stands adjourned.

**18.00 hours**

[The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, September 11, 1996/Bhadra 20, 1918 (Saka)]