

over it. The incident that occurred on the 14th is rather a turning point in the terrorism in Kashmir, and nothing can be more unfortunate than that the Government take sit as an ordinary matter.

SHRI NITISH KUMAR (Barh) : Mr. Deputy Speaker, Sir, so far as the discussion on the situation in Kashmir valley initiated by Shri Khurana and the reply given by the hon. Minister of state in the Ministry of Home Affairs is concerned, I would like to submit in this House, through you that Kashmir is not an issue to be discussed from the point of view of scoring the debate points. Kashmir is a very sensitive area and you are aware that All Party Parliamentary delegation, including Shri Khurana, myself and other hon. Members had visited the Kashmir valley and witnessed the factual situation for themselves there. If we continue to raise the Kashmir issue and talk of alienation again and again in Lok Sabha, it will create a bad impression in the world. Therefore, my submission is that if at all a discussion is to be held on the subject, it should be serious, besides, all members should reach a consensus on the Kashmir issue. The matter of discussion here should not be the date as to when the national flag was burnt some hon. Members say that it was 15th while the hon. Minister says that actually it was 12th when the flag was burnt and its picture was published and the publicity was made as if the incident occurred on 15th August. This is the factual situation there. The alienation that has taken place there is not only a proof of presence of pro-Pakistani element, but also an evidence of the hunger for freedom that has arisen recently there. It also proves that pro-Indians are also there. I would like to submit that if the Government continues to take the matter lightly, the country will have to suffer. We must make very sacrifice to protect every inch of our land. However, if we continue to indulge ourselves in futile discussion, the situation may further deteriorate; and as a result of it we may lose Kashmir and perhaps the future generations would never forgive us for that. Therefore, all the hon. Members should think over the matter with a cool mind. My submission is that when we returned from the valley, we had suggested for an economic package. Why the youth was alienated there? There has been a wide spread corruption, and the people in the power have also been involved in the wide spread corrupt practices and thus alienation took place. The manner in which elections were held and

irregularities took place was the cause of alienation. Unemployment has increased and people have been facing great difficulties. A wrong impression was created all over the country that funds in other sectors were curtailed to be spent on Kashmir. It was also wrongly publicised by a responsible political party that a particular number of temples were demolished there. All these things have proved wrong and as per the prevailing situation. *(Interruptions)*. I am not talking of any political rivalry. All these things have taken place and the overall situation of Kashmir is very explosive and sensitive. Therefore, a discussion should be held over it and all the political parties should rise above the party politics and develop nationalism to support it. *(Interruptions)*.

[English]

12.33 hrs.

RE : IMPLEMENTATION OF MISHRA COMMISSION REPORT AS WELL AS OTHER COMMITTEES REPORTS ON 1984 HAPPENINGS IN DELHI

SHRI JAGMEET SINGH BRAR (Faridkot) : Mr. Deputy-Speaker, I would like to raise a very sensitive and a very serious matter to draw the attention of the Government and the Home Minister. The matter is regarding the implementation of the Mishra Commission Report. I would like to bring to the notice of the Home Minister that in nine years, only three murder convictions have taken place. Three thousand people were killed in Delhi massacre in one week from 31st October till 7th November.

I would also like to bring to the notice of the Government a very important matter and that is the Government had constituted six Committees viz. Potti Rosha Committee, Jain-Bannerjee Committee, now lately, a Committee headed by Jain-Aggarwal. The Jain-Aggarwal Committee had given a 206-paged Report to the Lieutenant Governor. I would like to quote one paragraph of that Report which says :

"Indeed, the whole investigation was done in such a casual and mechanical manner that no attempt was made even to find out the witnesses present during the occurrence, if any, much less corroborative evidence in any shape or form."

Jain-Aggarwal Panel had suggested action against 298 police officers of Delhi. I would like

to bring to the notice, specially of the Home Minister, that the widows, for the last nine years have been demanding, from the Government, that action should be taken against the people who are guilty.

The most important thing is that the Jain-Agarwal Committee has given a report. In three days, 300 people were killed. I have got hundreds of affidavits with me; the most important affidavit is that of Anwar Kaur. She has alleged that important Congress leaders who were involved in the Delhi riots—22 senior leaders. The report is with the Home Ministry.

CBI, which is the biggest investigating agency of the country, has told the Government that it is not ready to handle the cases because when it goes to arrest important people—you know what happens, it is not able to do it.

I would like to bring it to the notice of the Home Minister that in this report, even the Government has admitted that the total number of people killed was 2736. Till now—after nine years—only three murder cases were convicted, which involves 15 accused cases and 20 deaths.

The term of the Jain-Agarwal Committee has not been extended. The term of this Committee expired on the 31st July, 1993. I would request the Home Minister to at least extend the term of this Committee and they should look into the cases where offences have been committed but the cases have not been registered. It is a very serious matter.

The Prime Minister on the 15th August, 1993, yesterday, said that the minorities of this country would be protected. What is the fate of the minorities of this country? There was a massacre of 3000 people and there has been no action taken uptill now.

MR. DEPUTY SPEAKER: As we have already agreed and the hon. Speaker has been repeatedly requesting the House to close the Zero Hour by 12.30 p.m., let us close it.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Very important issues have been raised by the hon. Members. All the political parties should be allowed to express their views on them.

[Translation]

SHRI LAL K. ADVANI (Gandhinagar): Mr. Deputy Speaker, Sir, there have been a very few matters in the history of the last few years about which the Government has seemed to be serious. The matter raised by Shri Jagmeet Singh Brar just now is of the same category. The Government must realise that this is not a matter which can be suppressed by adopting a silent attitude over it. This will never happen. After-all Delhi is the capital of the country.

Three thousand innocent persons were burnt alive within three or four days in the capital. I do not remember of any such abhorant incident occurred even in 1947. Murders were committed in those days too, but innocent people were not charred to death in this manner.

In my opinion, the feelings of insecurity in the minds of common people started developing on the very day when people started thinking that they belonged to a particular community. Can they live safe in Delhi in such a situation? Thereafter, the same developments took place in Kashmir also and Shri Chandra Shekhar had referred to then in his speech in the context of the incident occurred a day before yesterday. I understand that it is a great failure of the Government. This is not only a failure.

[English]

This is not merely a sin of omission. This is a sin of commission.

[Translation]

It is a great crime, it is a heinous crime and the people responsible for this misdeed, have not been punished till date. Whereas 9 long years have passed since the incident took place. You cannot forget that incident. The people cannot forget it. This is not the issue of a particular community alone. The people all over the country will continue to ask questions from this Government and the Congress party in this regard.

I would like to request the hon. Minister of Parliamentary Affairs that if at present he does not want to say anything in this regard he should at least give an assurance to the hon. Speaker, to this august House as to when he would make a detailed statement on this incident because this incident took place in 1984.

Today it has been officially stated that more than 3000 persons were killed at that time whereas our party had visited every mohalla and village to find out the exact number of persons killed in these incidents. As far as I remember, our hon. Prime Minister was the Minister of Home Affairs at that time and he had stated in the meeting of the Consultative Committee that in total 400 persons were killed. However Shri Atal Bihari Vajpayee of our party had written a letter to him indicating that our party had indentified that names of 2700 victims from which it can be guessed that over 3000 people were killed. Later on a commission had also confirmed that more than 3000 persons were killed in Delhi. More than 3000 people were killed in Delhi in 3 or 4 days and nobody was punished. I do not hold the police officials guilty of this misdeed. I do not hold the bureaucrats guilty of it. Such kind of heinous crimes cannot be perpetrated without the direct or indirect involvement of some politicians. This question will continue to be raised until the guilty politicians and officers are punished. I strongly support the demand of Shri Brar and request the Government to at least inform the hon. Speaker and this august House as to when it will make a statement in this regard.

[English]

MR. DEPUTY SPEAKER: As it is broadly agreed that the time of Zero Hour will be for half-an-hour, i.e. from 1200 hrs. to 1230 hrs. (Interruptions)

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): This is such an important and serious matter. (Interruptions)

MR. DEPUTY SPEAKER: O. K. I will allow Shri Ram Vilas Paswan. [Translation]

SHRI RAM VILAS PASWAN (Rosera): Mr. Deputy Speaker, Sir, we are the eyewitnesses of the 1984 riots. I was living at 12 Rajendra Prasad Road at that time. My entire house was burnt. At that time late Shri Karpoori Thakur and 25 or 30 other persons were there in my house and even then we could not save our house. A Sikh Youth lived in front of my house who used to manage a taxi-stand. He came to my house to save his life but we could not save him too. We had complete information about the violence and we knew who were managing it. Officers were not behind it. I am levelling a direct charge against the Governments as to why it did not take a decision to impose curfew

at that time immediately. Why the curfew was clamped after 7 or 8 hours? The present Prime Minister was the Minister of Home Affairs in those days. I have information that the directions were being issued from the top from the point of views of incite riots in any way between Hindus and Sikhs through out the country so that the Congress might come back to power again. The dead body of Shrimati Indira Gandhi was made a subject of political gain and the consequence of this political game was that the thousands of Sikhs were killed all over the country. The leaders of a political parties were responsible for it. The Government should have taken the initiative of holding a discussion on this vital issue. I am levelling the direct charge against the then Minister of Home Affairs who is Prime Minister at present, for it. Whosoever the officers or Minister were responsible for it, action must be taken against them.

With these words, I support what Shri Advani stated. The problem of Punjab is not that of electricity or water. The damage caused to the Golden Temple at Amritsar and killings of Sikhs all over the country resulted in out-break of terrorism in Punjab and isolation of Sikhs from the mainstream.

[English]

MR. DEPUTY SPEAKER: I will call Shri Nirmal Kanti Chatterjee and the last speaker on this issue will be Shri Rabi Ray.

SHRI NIRMAL KANTI CHATTERJEE: Sir, on both the issues which have been raised now, we have been repeatedly telling that for narrow party consideration this whole range of problems have been generated in our country. We are fully convinced that the Sikh problem was generated because of narrow party considerations and as has been mentioned the Kashmir problem was generated because of narrow party consideration. If this narrow party consideration continues, we cannot save our country from getting disintegrated.

As Shri Chandra Shekhar has very correctly noted the militancy in Kashmir is taking a new turn in becoming communal. It did not rise in that fashion. The Kashmiri people were dissatisfied because of the policies pursued at the Centre by the Ruling party and gradually it took this kind of militancy. Now this is turning into a communal direction.

If we feel that the Sikh people are satisfied then by and large we are able to control militancy in Punjab. But will we succeed if the kind of question that is being raised even from the ranks of the ruling party from Punjab, which continues to be frustrating the entire people?

We, therefore, very strongly feel that the Government should take an attitude which must prove to the people that it is non-partisan and that narrow party interests will not be allowed to prevent it from taking all such actions which are necessary to convince even our minorities and the rest of the people.

I, therefore, agree with Shri Nitish Kumar's suggestion that these matters should not only be discussed here and a statement should be made, but also that the various leaders of the political parties should be called to discuss what should be done to punish these people who belong to the ruling party and to prevent the Kashmir situation from taking a communal turn. This is a must if we want to save the country and save it from disintegrating, in future.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): One of the perpetrators was apprehended, but he was made an M.P.

[English]

MR. DEPUTY SPEAKER: Shri Rabi Ray and then Shri Lokanath Choudhury. (*Interruptions*)

MR. DEPUTY SPEAKER: I have called the name of Shri Rabi Ray. Please have some patience.

[Translation]

SHRI RABI RAY (Kendrapada): Mr. Deputy Speaker, Sir, first I would like to express my thanks to Shri Saifuddin Choudhury and Shri Jagmeet Singh Brar for raising the issue of massacre of Sikhs in Delhi in the wake of Mrs. Indira Gandhi's assassination. Just now I was listening to Shri Paswan who narrated how his house was set ablaze that year. It appears to me that.

[English]

Parliament the Lok Sabha is being taken for a ride.

[Translation]

The public opinion not only in Delhi, but also in the entire country has been agitating from the very beginning on this issue. The hon. Minister of Parliamentary Affairs was very impatient to make a statement on Kashmir issue, but today he has been keeping silence over this issue. Shri Brar and other colleagues have raised this issue. The political aspect of the incident becomes more ghastly when the ruling party perpetrates this misdeed. Direct allegations have been levelled against the police department and politicians. It is in the interest of the ruling party to hold a discussion on such issues. The Verma and Jain Commissions reports should also be discussed in the House and the Government should at least make a statement tomorrow in this regard. This incident had taken place in the capital.

While addressing the nation from rampart of the Red Fort yesterday, the hon. Prime Minister stated in a firm voice about the religion. It is a very sad incident for the future of the country. Should our country and the entire House remain a silent spectator over such treatment meted out to our Sikh brethren? Should we not explore any possibility to resolve it?

Mr Deputy Speaker, Sir, you should also say something on it so that the Government may not take it lightly. All other issues should be set aside and this one should be considered as the main issue and a discussion should be held on it. So that something concrete may come out of the discussion in the House. It is in the interest of the ruling party and the country. Sikh community should also be given the impressions that the country has different attitude towards this incidents. (*Interruptions*)

[English]

SHRI LOKANATH CHOUDHURY (Jagat-singhpur): Sir, the Government is confounding the issue. The Government has not taken any action against the police officials who were found to be guilty by not registering the cases against them.

Secondly the matter concerning the death of 3000 people is continuing for nine years. No doubt, there is a good situation today in Punjab. The Government should not take this for a ride. The Government should know that this problem will haunt the nation in the years to come. The behaviour of the Government so far

indicates that the Government is not serious on such an issue. It indicates that the Government has something different in its mind. The Government cannot escape it. The situation is limping now and further the situation in Punjab may also become worse. Therefore, Sir, as Shri Nirmal Chatterjee and Shri Nitish Kumar have said, this is a very sensitive issue and the Government should reply as to what they are going to do and an All Party Meeting should be called. Action should be taken against those officers who had not registered the cases. Special measures also should be taken to dispose of the three thousand cases which are pending so that it would really help to protect the country's integrity and to check the divisive forces.

The Government should take this issue seriously and the hon. Minister, Shri Pilot, should react to the two requests that I have made now.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT) : Mr. Deputy Speaker, Sir, it is a fact that the happenings in the 1984 were distressing to every responsible citizen of the country and it is a black spot on the history of India. I have travelled all over the country. Every individual irrespective of his community, points out this issue. People have started giving reference of this incident and they say that 1984 incidents should not be repeated at all. I agree to the feelings of the august House. It was bit delayed. We could not be able to present the facts about the action taken by the Government before the nation in a proper way. A committee was set up. Action has been taken in some cases, but we could not present it before the country properly and the country could not be able to have the full information about it. *(Interruptions)*

The voice was raised against it from every nook and corner. *(Interruptions)* It is our fault that it could not be completed. We could not reveal it before the country in detail as to what action was taken and what report was presented by the committee and what measures were taken by the Government. This information could not reach the people. I agree to the sentiments of the House. Mr. Deputy Speaker, Sir, through you I would like to assure the House that the guilty persons who were involved in the incidents of 1984 would be punished severely without any consideration of party or their position in the Government. *(Interruptions)*

I cannot make a promise just now in this august House. We will give all the information to the House during the next session when it will be convened after one or one and a half months. *(Interruptions)*

SHRI GUMAN MAL LODHA (Pali) : The names of the hon. Members of Parliament as have been referred to by the Commission should be revealed in the House.

SHRI RAM VILAS PASWAN : As per my information, that report has not been presented in Lok Sabha. I would like to ask whether a copy of the report will be made available to us or not. *(Interruptions)*

[English]

SHRI JAGMEET SINGH BRAR : I would like to know whether the Home Minister will extend the term of the Jain-Aggarwal Committee, which expired on 31st July. They were doing a good job. I would like to know from the Home Minister why their term has not been extended. They have initiated action against those police officers and they were in the process of investigation. Why their term has not been extended ?

That is the point. I would request the hon. Minister to extend the time.

SHRI RAJESH PILOT : Sir, I have understood the point of the hon. Member. As I have said, the intention of the whole House seems to be that justice should be meted out to those people who have suffered and the people who are involved should be punished. That seems to be the intention of the whole Houses. It is very difficult for me to say whether the term can be extended. The legal thing I have got to check up as to what were the terms and conditions given to the Commission. But let me assure the House that nobody will be spared. We, in the Government, look everyone as equal. The hon. Members have charged that there could be somebody from the Congress or somebody from some other party. Let me assure the House that as far as law is concerned, law is above everybody and the Government will not spare anyone.

The second charge that the hon. Members made was that the hon. Prime Minister was the Home Minister at that time. I remember, I was a Member of Parliament. Now late Darbara Singh is not here. He was sitting with me in the

House. When we rang up Narasimha Rao Ji who was the Home Minister at that time, he said that every action had been initiated, army was called and the Area Commander was informed. If you recollect, Sir, late Rajiv Gandhi had also. . . *(Interruptions)*.

AN HON. MEMBER : The army was called after two days.

SHRI RAJESH PILOT : Sir, the idea is not to go back to the history and find faults as to how it has happened; the idea is to punish those people. Let me assure the House that when we meet next time—not in this session; I cannot promise for this session—I will certainly come out with the action taken. This much assurance I can give to the House. Sir. . . *(Interruption)*.

MR. DEPUTY SPEAKER : The hon. Minister has made it very clear that as per the law, they are going to take action. It is already one o'clock now. . . *(Interruptions)*

SHRI JAGMEET SINGH BRAR : One point, Sir. The Mishra Commission has stated that the then Home Minister did not come out and went to a single place to condole the people. . . *(Interruptions)*.

MR. DEPUTY SPEAKER : Now the Zero Hour is over. We shall take up the next item now. . . *(Interruptions)*

SHRI GEORGE FERNANDES (Muzaffarpur) : What about the Report, Sir ?

MR. DEPUTY SPEAKER : Mr. George, this cannot be a debate.

SHRI GEORGE FERNANDES : We want a copy of the Report. Is this House going to be denied the Report ?

MR. DEPUTY SPEAKER : Hon. Home Minister, would you like to place the Report on the Table of the House ?

SHRI RAJESH PILOT : Mr. Deputy Speaker, Sir, I have stated that there are certain formalities. I have got to check up the legal part of the things. But I have assured the House that action will be taken against those people who are involved. About the Report, I will come back

to the House, when we meet in the next session.

MR. DEPUTY SPEAKER : Now, we shall go to the next subject. . . *(Interruptions)*

SHRI LAL K. ADVANI : Sir, today's entire Zero Hour has been devoted to two issues—firstly Kashmir and secondly the 1984 happenings. Two issues specifically have arisen, in respect of which you can ask the Government. First is that we would like to have a copy of these Reports. The Minister has only said that he would take action and convey to this House in the next session what action has been taken, so that for this particular session the matter is over. We would like to have a copy of the Report in respect of the 1984 happenings.

So far as the Kashmir issue is concerned, we would like to know because the Minister for Parliamentary Affairs, a couple of times, said that he has already written to the Chair—at what time is he going to make a statement in respect of the 14th August incident.

SHRI RAJESH PILOT : Sir, I have given in writing to the hon. Speaker but the hon. Speaker has desired that as there is a discussion on Jammu and Kashmir Budget today, it could be discussed at that time. This is the hon. Speaker's ruling that there is a discussion on Jammu and Kashmir Budget, so all these points could be brought out in that discussion. I have given him in writing for five o'clock but the hon. Speaker has given a ruling to me that it could be discussed during the debate on J&K Budget.

SHRI BASUDEB ACHARIA : What about the Report, Shri ? *(Interruptions)*

13.00 hrs

MR. DEPUTY SPEAKER : Mr. Minister, they want to know whether you will be placing the report regarding 1984 incidents on the table of the House. *(Interruptions)*

SHRI RAJESH PILOT : Sir, I have said I have no hesitation in coming with a statement. But as the discussion on Jammu and Kashmir Budget is there, everything can be discussed. I will intervene. I have no hesitation. Hon. Speaker said so.

SHRI BASUDEB ACHARIA (BANKURA) : We want the report on 1984 incidents.

SHRI GUMAN MAL LODHA: The Jain Committee report should be placed on the table of the House. (*Interruptions*)

MR. DEPUTY SPEAKER: Mr. Minister, they want the report. Would you like to place the report on the table of the House?

SHRI BHAGWAN SHANKAR RAWAT (Agra) : Sir, why cannot it be laid on the table of the House?

SHRI RAJESH PILOT : Sir, off-hand I cannot say what was the condition in which this committee was appointed. Let me see the details, check up that aspect. Then I can let the House know. Off-hand I cannot say anything. I cannot say it without going through it. (*Interruptions*)

MR. DEPUTY SPEAKER: Thank you very much for your cooperation. We shall now take up Papers to be laid on the table of the House.

13.02 hrs.

PAPERS LAID ON THE TABLE

Notification under Major Port Trusts Act, 1963: memorandum of understanding between the Shipping Corporation of India Ltd. and the Ministry of Surface Transport for 1993-94 etc.

[English]

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER) : Sir, I beg to lay on the Table :—

(1) a copy each of the following Notifications (Hindi and English versions) under sub-section (4) of section 124 of the Major Port Trusts Act, 1963 :—

- (i) G.S.R. 392(E) published in Gazette of India dated the 30th April, 1993 approving the amendment to Tuticorin Port Trust (Licensing of Ship Repairing, Ship Chandling, Chipping and Painting and Miscellaneous Trades) Regulations, 1992.

- (ii) G.S.R. 476(E) published in Gazette of India dated the 23rd June, 1993 approving the Calcutta Port Trust (Licensing of Stevedores) First Amendment Regulations, 1993.

- (iii) G.S.R. 492(E) published in Gazette of India dated the 5th July 1993 approving the Visakhapatnam Port Trust (Transport, Handling and Storage of Dangerous Goods) Regulations, 1992

- (iv) G.S.R. 521(E) published in Gazette of India dated the 23rd July 1993 approving the incorporation of a new clause No. 22B in the Bye-laws of the Calcutta Port Trust.

[Placed in Library See No. LT-4305/93]

2. A copy each of the following papers (Hindi and English versions) :—

- (i) Memorandum of Understanding between the Shipping Corporation of India Limited and the Ministry of Surface Transport for the year 1993-94.

[Placed in Library. See No. LT-4306/93]

- (ii) Memorandum of Understanding between the Central Inland Water Transport Corporation Limited and the Ministry of Surface Transport for the year 1993-94.

[Placed in Library. See No. LT-4307/93]

3. (i) A copy of the Annual Accounts (Hindi and English versions) of the Madhya Pradesh State Road Transport Corporation for the year 1989-90 together with Audit Report thereon under sub-section (4) of section 33 of the Road Transport Corporation Act, 1950 read with clause (c) (iv) of the Proclamation dated the 15th December, 1992 issued by the President in relation to the State of Madhya Pradesh.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Madhya Pradesh State Road [6] Transport Corporation for the year 1989-90.

4. Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.