

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted

18.43 hrs.

[English]

MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Constitution (Sixty-fourth Amendment) Bill, 1990, which has been passed by the Rajya Sabha in accordance with the provisions of article 368 on the Constitution of India, at its sitting held on the 28th March, 1990."

CONSTITUTION (SIXTY-FOURTH AMENDMENT) BILL, 1990 AS PASSED BY RAJYA SABHA

SECRETARY-GENERAL: Sir, I lay on the Table the Constitution (Sixty-fourth Amendment) Bill, 1990, as passed by Rajya Sabha.

18.44 hrs.

DISCUSSION UNDER RULE 193

Law and order Situation in Kashmir—
Contd.

[English]

MR. DEPUTY-SPEAKER: Now we shall take up discussion under rule 193. Dr. Sudhir Ray was on his legs. He may continue please.

DR. SUDHIR RAY (Burdwan): Sir, I said on the other day that the situation in Kashmir is very dismal. Now thousands of families have migrated to Jammu and Delhi. But it is the people of Kashmir who, with arms in hands, fought against the Pakistani raiders in 1947. Though the majority of the people there is that of Muslims, yet they linked their faith with India. Kashmir was the proud banner of our secular democracy but due to various lapses, the situation in Kashmir has come to such a passe Pakistan and other agencies are taking advantage of the situation day-in and day-out. The miscreants, separatists and terrorists are raising anti-Indian slogans from house-tops. Political leaders and activists have been gunned down. Mr. Mir Mustafa was hanged; Mr. Lasha Kaul was gunned down. What is the way out? I must say that the Governor, Shri Jag Mohan committed a grave blunder by dissolving the Assembly because we cannot forget the role the National Conference played under the inspiring leadership of Sheikh Mohammad Abdullah and Mr. Gulam Mohd. Sadiq. We know that it is under the National Conference land reforms were first undertaken in Kashmir and there was no compensation paid to the landlords. In Kashmir education became free up to Post-Graduate level. But we find also that this National conference fought against the Dogra Raj, against the British Imperialists. But the Governor, Shri Jag Mohan, by dissolving the Assembly has destroyed the

[Dr. Sudhir Ray]

buffer between the people and the separatist. Therefore, now, in order to solve the crisis what is required is political initiative and all the Nationalist forces must make a common call so that peace and normalcy is restored in the Valley. I do not assume a "holier than thou attitude". All the Nationalist forces, Congress-I, the Communist parties and other political parties should strive together so that dialogues are opened. I do not want that the dialogues should be opened with the separatists because they will not listen to any reason, because they are aided and abetted by Pakistan which suffers from internal contradictions. But anyway, the political party must be allowed to operate freely and they must be taken into confidence. There must be a joint effort so that normalcy is restored in the Valley.

Then, Sir, there must be economic measures. We all know that because of the agitation, tourism has collapsed in Kashmir and tourism has come to a stand-still. The food vendors the shawl weavers and other people are suffering and therefore they should be given economic relief. Not only that. There are hundreds of educated youngmen in Kashmir who remain unemployed—doctors and post-graduate students are unemployed. Therefore these people should be given employment. If necessary, they should be inducted in the All-India services. If necessary, the C.R.P. and the B.S.F. should raise more units in the State. Anyway, the economic problems of the Valley must be solved.

Then, Sir, there must also be firm administration because there cannot be any 'dove queen' to the separatists. Everyday Pakistan is crying from house-tops that they will go to Kashmir and we know Mrs. Benazir Bhutto, the Prime Minister of Pakistan, promised Rs. 10 crores to the separatists while her rival Mr. Nawaz Sheriff Promised Rs. 15 crores. Therefore, what is required is alertness. The Government must deal strongly with the separatists. There should be police

patrolling in the rural areas of the Valley because the Assembly has been dissolved, because the National Conference cannot operate peacefully, and because one after another political leaders and activists are being gunned down, the separatists, the terrorists, have spread out to the rural areas. Therefore, there should be police patrolling even in rural areas.

In this connection I would also like to say that some people are trying to communalise the issue over the exodus. My suggestion is that the refugees should be better settled in the Batote area. That is between Srinagar and Jammu. They should not be encouraged to come to Jammu or to Delhi. They should better be asked to remain at Batote.

Then what is required is diplomatic offensive. I must praise the Government that because of the diplomatic offensive, even many Islamic countries have not agreed to side with Pakistan. Egypt or Iraq or even Bangladesh have not supported Pakistan's stand on Kashmir. We should tell that we want this problem solved in a bilateral way in the light of the Simla Agreement. And we should also tell the non-aligned countries that this is purely a bilateral issue between Pakistan and India.

Sir, Kashmir is an integral part of India. We cannot compromise with our national integrity or sovereignty; Kashmir shall remain an integral part of India because India is the third biggest Muslim State as regards population, even Pakistan has less Muslim population compared to India. Therefore, we must make a diplomatic offensive.

With these words, Sir, I conclude.

MR. DEPUTY-SPEAKER: Well, under Rule 193 we can discuss this matter for two hours. Already we have consumed one hour and 33 minutes plus the time taken by the hon. Member now. So, very little time is now available for us. I would like to find out from the Members for how much time we should discuss this matter. May be...

AN HON. MEMBER: Two hours. (*Inter-
rptions*)

MR. DEPUTY SPEAKER: I think for one more hour we can go on with this. I would like the hon. Member to restrict their observations to the issue before the House. The issue before the House is "the grave law and order situation in Kashmir resulting in kidnapping and killing of officials as well as political workers including an ex-M.L.A. by the terrorists." The ambit of discussion should not go beyond that. You can refer to certain points because the issue is very big and you are going to discuss the Home Minister also, you would have occasion to express your views on that also. So, I would request the Members now to please restrict their observations to the points which are relevant to the subject.

SHRI K.S.RAO (Machilipatnam): Put a time limit, Sir—5 or 10 minutes.

MR. DEPUTY SPEAKER: May be 5 to 7 minutes should be there. Now, Shri Janak Raj Gupta may speak.

[*Translation*]

SHRI JANAK RAJ GUPTA (Jammu): Mr. Deputy Speaker, Sir, the issue of Jammu and Kashmir is a very serious one. The circumstances have never been so grave in the past as they are today. I think the circumstances have worsened because of the wrong policies of the present Government and Administration. There is no law and order in the State. Law and order machinery has broken down completely there. This is the reason why people are being killed there in the broad day light and so many people are fleeing their homes in desperation. Not only this, a deliberate attempt was made to throw out the people in power, and relevant political parties in Kashmir were weakened. The National Conference and the Congress party have their own place in the history of Kashmir as they have been the only relevant political parties throughout there. The Government created such feelings in the hearts of the people of Kashmir that the coalition

Government of National Conference and Congress was compelled to resign. The dissolution of the Assembly by the Governor was another blow. Earlier there was link between the people and the Government as the legislators used to meet the people and sympathised with them. But after the dissolution of the Assembly, the terrorists took the complete control of the situation there. I would say that the dissolutions of Assembly is an illegal step. The hon. Home Minister said in the Rajya Sabha yesterday that this issue has been referred to the Ministry of Law and Justice. I would appeal that the Assembly should be revived. If the Government wants to start political process there, it should be initiated through legislators. There was time when the Congressmen used to face the bullets chanting 'Hindustan Zindabad' but now the situation has gone out of control. Law and order situation has deteriorated to such an extent that the people are migrating from there in thousand and the administration is blind folded. Hindus, Sikhs and even some Muslim families have been compelled to migrate from there. Day before yesterday my name was also there in the list for calling attention. There was some confusion. I was under the impression that it would be taken up after 6 p.m. and after that the hon. Minister would reply so I was not present. I would urge my friends belonging to the B.J.P. that they should treat it as a human problem and not try to gain political mileage out of it. I would appeal to the Government that special steps should be taken to provide shelter, food and other such facilities to the migrants who have arrived here. The hon. Home Minister has stated in his reply that each family will be provided Rs. 415 for ration and Rs. 1000 for purchasing beddings and utensils. What will a family do with Rs. 415 or for that matter Rs. 1000. This provision is very meagre, and it will not be able to meet the requirements of a family. If one goes to the market with this much money, leave aside bedding one will not get even 2-3 utensils. Therefore proper attention should be paid to this aspect. The first mistake was that these people were allowed to leave the place. The Governor and his advisers should have stopped them, by providing proper

[Sh. Jansak Raj Gupta]

security arrangements to them. But now that these people have arrived as refugees from there, we should provide them full security and comfort here until it becomes possible to send them back. They should not be unduly troubled and should be persuaded to go back. Law and order situation was discussed in detail here and a special Ministry has also been constituted to solve this problem. But instead of showing any signs of improvement, the situation is deteriorating further and the incidents of violence which were so far limited to Kashmir Valley only have spread to Jammu also which is under curfew for the last three days now. At the moment there is lot of tension in the State, but not a single meeting of the Special Ministry for Kashmir Affairs has taken place so far.

19.00 hrs.

In my view the newly constituted Ministry is totally irrelevant as the Minister in charge during his visit to the State was more busy in politicking and strengthening Janata Dal there. He neither tried to solve this problem nor paid any attention to the task of starting political process there. Jammu is under curfew for the last three days but the concerned Minister is nowhere in sight, to take care of the situation. I had urged in the morning also that he should make a statement on the situation prevailing there but so far we have received no information about the situation there. I would urge upon the hon. Home Minister to apprise the House of the situation in Kashmir and also what steps the Government is going to take to diffuse the situation.

Mr. Deputy Speaker, Sir, so far as starting political process is concerned, the Government should try to take in confidence the National Conference and the Congress Party also. There are some people even among the terrorists who are not the hard core ones. A dialogue should be opened with them. The people of the State should be involved to start the political process there so that law and order situation can be improved. Apart

from this proper arrangements should be made to persuade the migrants from Kashmir to go back. I would urge upon the hon. Minister to tell the House as to what is his action plan to tackle the situation. With this, I conclude and thank the Chair for providing me a chance to express my views.

[English]

SHRI SAMARENDRA KUNDU (Balasore): Mr. Deputy Speaker, Sir, Kashmir is not only part of India but it is the most important part of India. Kashmir is like a shining pearl on the *turban* of India. On Kashmir, many poets including Tagore and Goethe have said: Where heaven and earth combine in one name it is Kashmir.

This Kashmir is in distress and in agony. It is not true to say that Kashmir is only in distress or Kashmir is in agony, I feel, all of us are in distress, all of us are in agony. Now, the way Mr Mustafa was hanged, other officials and political workers were killed, is one of the most inhuman and brutal acts which can happen in a civilised society. It was a dastardly behaviour of some mad, insane people which we must strongly condemn. The entire House should condemn this. As it was suggested, we must send our condolences to the bereaved family.

That apart, since this situation is very grim there is no question of hiding it—we must seriously think what would be our perception to tackle the present situation in Kashmir. A new method has been evolved by this Government to arrive at a consensus. On such national issue, all-party committee has been formed and the deliberations are going on. Some ways are being found. I should say, this is a new approach of the National Front Government to solve major issues. We must give full support to the all-party committee and its functioning, we should try to make it very active.

Having said that, I would like to draw your attention and the attention of the hon. Members of this House that the Prime Minister of Pakistan openly says that she will be

aiding the terrorists with Rs. 10 crores.

The other communal organisation leaders occupied Kashmir leaders are saying that they will donate Rs. 5 crores to the militants. I see some trouble again. I see some black clouds hovering around Kashmir. When the snow will melt, I fear there may be a bitter time for us for which we as a nation must be prepared to meet the situation. I do not want to go into the past. The past is very bad. We have erred. We have blundered in Kashmir. I do not want to spoil the atmosphere today by recounting all the ugly past because at times they have been told and re-told here also. I would only like to point out—my friend Shri Kumaramangalam who tabled the Resolution is not here—that he pointed out that as soon as Shri Jagmohan was appointed as a Governor, there has been a sea-change in Kashmir. This is absolutely a distorted version. It has been repeatedly said in this House how the situation was bad in Kashmir before Shri Jagmohan was appointed. I do not hold any brief for Shri Jagmohan or anybody who does not act according to the dictates and wishes of the Parliament and the Government. There has also been a demand that Shri Jagmohan should be removed immediately. Well, the Home Minister will reply on this point. But I would like to ask, whether we diagnose the disease and try to find out a solution and offer it to the hon. Minister and to the All-Party Committee on Kashmir or go on harping on a point which is not very relevant today. The need of the hour is to isolate the terrorists, to start a political process and to rush civil amenities, basic needs, to the people of Kashmir. It was said the other day that even medicines are not available there. People are crying and dying in the hospitals. If that is the situation, has Shri Jagmohan stopped them? Because the political climate is such, perhaps these things cannot reach to the people. All the political parties must act on this. Therefore, my submission would be that we must have a national approach to the problem. We must rise above the party. We must give up the partisan attitude to Kashmir problem and we must have a national approach to the whole problem and strengthen

the hands of the Government, the Home Ministry, the Minister in-charge of Kashmir. However you may belittle saying that by only appointing a Minister of Kashmir nothing has been done, the fact remains that two persons are not prepared to come to the streets in Srinagar and meet the people. The Minister in charge of Kashmir Shri George Fernandes pulled courage and met some people there. This is no mean achievement. I would like to see the Government should pursue the policy of isolating the terrorists and rushing relief materials to the people and start political process.

One big achievement has been that in the international arena Pakistan has been isolated. This a very big achievement for our Government. I guess Pakistan, perhaps, will take up this in the United Nations in a big way and we must also prepare from now to see that our point of view is also forthrightly put us in the United Nations.

There cannot be any deviation from the Simla agreement. Repeatedly, the Simla Agreement is being violated. It is said that there is a dispute between us and Pakistan which does not cover Simla Agreement. I think Simla Agreement does admit all dispute. It admits all concerning Kashmir should be settled bilaterally. So, to this proposition, some months earlier I think the Pakistan Government had agreed. But I find there has been a change. I do not know whether the hawks, the military bosses and the political situation compelled the present Prime Minister Ms. Benazir Bhutto to adopt this line. This is a very dangerous line. Our Prime Minister has very correctly, very boldly pointed out on a number of occasions that Government of India would never yield to any sort of threats and we can go to any length to defend our territory. I hope Pakistan will listen to this voice of our Prime Minister.

Two years back, I had gone to Pakistan and to some other neighbouring countries—Sri Lanka and also to Maldives—as Leader of the delegation of an organisation 'friends of Neighbours' I found that the people in Pakistan are very much eager to have our friend-

[Sh. Samarendra Kundu]

ship. They embarrassed me by requesting that they should get more facility to come here to meet their old friends. We started the period of liberation in 1977-79 and they felt that it was closed during the last 10 years. I think we must address ourselves to the people of Pakistan. We must not only address to the people of Pakistan, but also to the people of other neighbouring countries also and in particular the SAARC countries. I would suggest that apart from what the Government does, as citizen of our country who are very much concerned with the deteriorating scene in Kashmir, must go and talk to the people of our neighbouring countries and tell them: and convince them that if peace and stability is disturbed by some hawks in Pakistan, by some military junta which wants to come back to power, then the future of this region will be shattered and future of peace and stability will be destroyed.

With these words I would give full support and beseech the Members' full support to the Government to see that the problem is solved. I cannot imagine that it can be done in a day or two. But I am sure, as time comes, we will overcome it.

[*Translation*]

SHRI RESHAM LAL JANGDE (Bilaspur): Mr. Deputy Speaker, Sir, till now it has been argued that problem of Kashmir can be solved with the removal of Governor Shri Jagmohan and revival of the legislative Assembly in that state. I know that Shri Shaikh Abdullah was arrested for his involvement in such activities in 1950 and 1956 at the instance of late Shri Rafi Ahmed Kidwai. We also know that flag of Pakistan was hoisted there on 14th August, but we did not take any action against those persons because of our leniency gentleness and forbearance. Pakistan has always been encouraging militant forces in our country. This is not a matter of today or past three months but it was initiated almost fifteen—twenty years back. We had been giving them undue liberty and lakhs of in-

habitants have been paying the price. After all, what is the reason that we have not been able to control these militant forces? The answer is that we had been indulging in politics of vote and the then government did not pay any attention to it. We have deployed all our C.I.D., Intelligence and House Guards forces and thousands of our defence troops. In spite of all that, what is the reason that we have not been able to combat these militant forces and gangs who are creating disturbances and raising Pro-Pakistan slogans openly in the streets and mosques and bringing women in the fore front? Are we deliberating avoiding these elements? Are we hesitant conducting investigation as to who these gangs are, with whom are all these people associated and what are their motives, only for the reason that if we take strict measures against them, then it will definitely displease people belonging to the minorities, who are quite large in number, or that will create labour or mutual disharmony in the country. It is for this reason that the Government is not prepared to take any action against them. Are you apprehensive of it that political activities going on there have taken such a turn that our political influence in Kashmir will completely diminish if we take some strict action against them. The local political parties of Kashmir will also grow more powerful and then it will become very difficult to put them under control. It is also feared that too much of action on our part will lower our prestige in these areas. In my opinion, these are the reasons why you are not taking any strong action in Kashmir.

I would like to know the exact figure of population of minority communities in Kashmir Valley as in 1971, 1981 and as at present respectively? What are the factors responsible for the continuous decline in their population. Would you like to make efforts to know as to how many temples have been demolished there recently? Did you ever try to collect these figures? Instead the Government is deliberately hiding the actual facts. We can not expect the situation to improve merely by providing them with facilities of rehabilitation or some concessions to the students or increasing the quantity of

ration. These steps will not be able to create harmony and peace in Kashmir Valley. It is entirely a different issue as to whether religious harmony will be restored once again or not. However we would like the Government to deal with the terrorist groups ruthlessly and strictly. Today Pakistan is trying very hard to create such a situation in Kashmir which will lead to internationalisation of this problem and bring disgrace to our country. Pakistan wants to put the Simla Agreement to a naught. We will have to meet this challenge.

Removal of Shri Jagmohan or holding of elections legislative Assembly will not solve the problem. To reach a solution the Government will have to adopt a hard time attitude even if it invites displeasure or wrath of a few people. We should care a fig for it. Instead it should be dealt with strictly. We have been able to contain the telangana, Naxalities and Goa movements successfully in the past then what is the reason that we have failed in controlling the situation in Kashmir. The fault lies within us only. We could not move ahead due to politician of votes. I would request the Government to take any notice of annoyance of a handful of people. To maintain the unity and integrity of this country the Government should take Stern steps to combat the situation in Kashmir it is not an issue caste and community or the issue of Hindu and Muslims. Pakistan supporters and people belonging to the majority community in Pakistan have been instigating the people of Kashmir. We have to settle the accounts with them. We all know it very well that we enjoy the support of Muslim brothers as well as Hindu brothers also but they become helpless when it comes to fighting with the militant gangs. I would like to visit upon you to curb the terrorism prevailing in Kashmir valley. What is needed most is to deal with the militant groups with a heavy hand. However we feel that Government is showing laxity in dealing with them. Ultimately it will lead to an explosive situation in Kashmir which will be a very difficult situation to handle. All these militant activities are controlled from Muzaffarabad and Mirpur which are the night boring border districts and

quite close to these areas. For their operation they receive instructions and ammunitions from Pakistan and other neighbouring countries. We shall have to put a check on these linkages. That is all I want to say.

SHRI DHARAM PAL SHARMA (Udhampur): Mr. Deputy Speaker, Sir, while sitting here or through reading newspapers we can understand the grovity of situation in Kashmir. We have contacted such people who are still residing there and also those who have migrated from Kashmir. From these people, we came to know that the situation in Kashmir has taken very serious turn. Certain news do not appear even in the press. A very large number of people including intellectuals have been killed there. May be that some mistakes might have been committed by the coalition Government of National Conference and Congress. But that Government had very good control over the administration. During its regime, nearly 70 to 80 terrorists had been nabbed by them and arms and ammunition had also been raised from them. But now the situation is deteriorating very fast and it was started with the release of five terrorists in the month of December.

Ever since the Governor rule has been imposed and Assembly dissolved, the situation has deteriorated fast and now gradually it is going out of control. Five I.B. Officers Director of Doordarshan, Lassa Kaul, Assistant Director of Information, Shri P.N. Handoo, Deputy Director of Food Supply Shri A.K. Raina have been killed. Recently Deputy Superintendent of Home Guards, Gulam Hassan also met the same fate. Mir Mustafa a top leader of the Congress was kidnapped and hanged. Similarly a Junior Engineer of Telecommunications, Shri Ganjoo too was killed by the terrorist. It was only yesterday that a revolver was snatched from an A.S.I. and Shri Inaitullah, a constable was injured who is now in the hospital. Dead body of a man from Kupwara was also found yesterday in Srinagar. The Chief Secretary Shri Hamidullah Khan who is in-charge of Law and Order resides in circuit House near the bungalow of the former minister Shri Han-

[Sh. Dharam Pal Sharma]

doo and that entire areas has been converted into Mini-Secretariat and no one can go there. The situation has worsened to such an extent that even Governor has to go to the airport by a helicopter from Raj Bhavan if he has to go to Jammu. No one can move there freely. Amidst all this, where is your intelligence agency? Flags of J.K.L.F. and Pakistan hoist on every roof top. The sons of topmost police officials and bureaucrats are involved in terrorist activities. All this has been going on there for a long time. You do not know the things which we know. The houses of the people who have migrated from there are marked with a big red circle. Only recently, 30 people were suspended for having links with terrorists. A junior Engineer who was suspended used to recruit the youths for sending them to Pakistan for training. Everyone knows about that surgeon of Sher-e-Kashmir Medical Institute and his links with terrorists and also that he gives medical aid to them at their homes. I would like to say that at least 7 lecturers and Assistant Professors of Sher-e-Kashmir medical Institute and some bank managers and engineers have been trained in Pakistan. They have such a network that they spot out any top journalist who goes there. I would like to mention that when a lady journalist of Indian Express went there, she was taken by terrorists to their camp. She later said that they were very hospitable and well educated youths. They showed her their weapons and communication network through which they could contact the B.B.C. We may not know, the intelligence agencies may not know, but Pakistan Radio and T.V. know all about it. The news of Mir Mustafa's kidnapping was first of all broadcast by Radio Pakistan. The hon. Home Minister is from my own state. Does he know about the activities of Javed Nalka or Hamir Sheikh, the so called area commander? The I.S.I. people are present there and everything in Kashmir is happening under the direction of F.I.U. and Pakistani intelligence.

I would like to raise a few more points and the hon. Home Minister should correct

me if I am wrong. Hamir Sheikh who was released alongwith five other terrorists was injured in the premises of Sher-e-Kashmir Medical Institute in the firing by security forces. What made it possible for him to manage to go to Jaslok Hospital, Bombay for treatment and then to slip away just as the I.B. men came to know about it?

A big procession was taken out in Srinagar which ended at Chirar-e-Sharief. The estimates of participation in the procession very from 5 lakhs to 15 lakhs people. But this is true that 2000 Government buses were there which were carried by the drivers and conductors of the Government. The procession was not a sort of pilgrimage but the fact was that Afghan Mujahiddin had arrived there through the pass of Yusemarg. A large number of them were staying there. I can give their number also but I am afraid I may be incorrect. The hon. Home Minister might be knowing that even in 1965 there was infiltration through this very Yusemarg pass. So, that procession went to Pakistan. Since there was picketing upto Srinagar it was not possible for the Afghan Mujahiddin to cross over. Therefore, in the third week of February the procession went there to escort the Afghan Mujahiddin with them.

There is a top police official whom I would not name. He issues curfew passes marked 'official' to the militants. What would you do? It is correct that the Muslim Officers have also been killed, particularly from the C.I.D. So there is no communal issue over there. They spot out the patriots and Hindus-tanis and kill them, be they Sikhs or Muslims. There is no question of communalism to say the least. This is the position there. I know a top police official, though I would not disclose his name, who hosted a feast in which local terrorists were also present. I would not say anything beyond that. This is the situation there. Many people have been killed there and many more are being killed. The dead body which was recovered yesterday was of a Muslim. So the situation is very serious. It is not your orders that are obeyed there. You have simply surrendered before the terrorists. Doordarshan and Radio in

Srinagar broadcast new from Delhi. Your authority seems to be absent there. The news should have been coming from Kashmir to Delhi but it is the other way round. This is where we stand there. you say that the previous Government was very weak. At that time, there was a coalition Government but the authorities used to visit every where and apprehend the terrorists. The Government had an authority on the administration. Now that authority is seen nowhere. Perhaps the Governor too has become disappointed. He has been in Jammu and Kashmir for a long time. I do not know what difference did it make following Shri George Fernandes' deputation? You have appointed him Minister of Kashmir Affairs and formed an advisory committee as well. Your Deputy Prime Minister has also been there.

AN HON. MEMBER: But you have walked out of the advisory committee.

SHRI DHARAM PAL SHARMA: When the Committee reached there, we made an offer. The country is more important than the party. What I am saying here is not as a partyman but as an Indian citizen and a resident of Jammu and Kashmir. The situation is deteriorating in the valley. Pakistan's involvement in these subversive activities is open for quite a long time. Nawaz Sharief has allocated Rs. 5 crores as assistance to the terrorists whereas the Prime Minister of Pakistan, Shrimati Benazir Bhutto is allocating Rs. 10 crores as assistance to the Pak Occupied Kashmir. There is a competition between Islami Jamhuri Ittihad and Benazir's Pakistan people's Party in the matter of assistance to the terrorists. We know that in the Azad Kashmir's Budget an amount of Rs. one crore is allocated every year for subversive activities and Rs. 50 lakh are provided to the Jammu-Kashmir Liberation Front. What I mean to say is that there is a competition between Jammu Kashmir Liberation Front and Hizbul Mujhaideens. They all belong to Jama-i-Islami. They are kidnapping the people, interrogating them and hanging them to death. These people are responsible for the killings of 5-6 prominent persons including Mir Mustafa in the valley. They talk of

mujhaideens and JKLF also talk of independent Kashmir but the goal of both of them is the same. The hon. Home Minister might be aware of the fact that the most dangerous thing which is happening in Kashmir is that Hizbut Mujhaideens are recruiting the youths in the rural areas for imparting local training to them. The youths are being recruited in Anantnag and Baramulla. IB cannot do anything against them because they are taking shelter in mosques. I would, therefore, like to say that the provisions of prevention of Misuse of Religious Places Act, as passed by the Parliament, should be extended in Jammu and Kashmir. Now there is no hurdle in implementing it because the Government can ask the Governor to recommend the same. As at present, the minarets of the mosques have been fitted with loudspeakers on which they make announcements to give a call to the people to come forward to struggle, to ask them come out on the roads to stand in revolt and appeal to the ladies to open fire on the forces. Pakistani cassettes are being played there all the twenty-four hours and people are being asked to come out for 'Jehad'. That is the situation in the valley. My party and all of us are prepared to extend our cooperation in the interest of the country. What is this committee? what is its use, because on one occasion Shri George Fernandes, who was entrusted with the charge of Kashmir Affair, had to go to Jammu but due to the resignation of the Deputy Prime Minister, he rushed to Delhi to persuade him to withdraw the resignation. Once again when he had to go to Jammu, he reached Goa to topple the State Government. What is a happening in Kashmir today? I would like to say to Shri Mufti Mohammad Sayeed that so many extremists and terrorists have been arrested while crossing over the line of demarcation in snowbound area of Rajouri-Poonch sector in Jammu region. As per my information, youths are being recruited at several places and a sum of Rs. 10,000 is being given to each family of the youth and it is being assured that if they become martyr for the cause of independence, their family will be given life long pension. The Governor, Shri Jagmohan has announced that 3000 teachers will be re-

[Sh. Dharam Pal Sharma]

cruited and five new B.S.F. bus will be raised. The Jammu Kashmir Liberation Front has said that in B.S.F., the Government would pay each of its jawans an amount of Rs. 1500 per month, whereas they would pay each of them Rs. 5000 per month. The situation in Kashmir has become so serious. In such a situation all have to work unitedly leaving aside their own political interests and considerations. Now-a-days the Bharatiya Janata Party has become the champion of the cause of the Kashmiri Pandits. (*Interruptions*)

I would like to say that we all are Indian and they are our brothers and we have full sympathy for them. Shri Handoo is sitting here, he is himself a Kashmiri Pandit and is also their representative. Therefore, political colour should not be given to it. The act of registering names and distributing ration by the party itself, is not a good thing. We all have sympathy for them. We agree that adequate relief is not being provided to the migrants. Only a sum of Rs. 500 and 11 Kg. of ration is being given to them and the Government employees are not being given anything. Shri Mufti Mohammad Sayeed knows that every Kashmiri Pandit family has atleast one Government employee, therefore, bogus registration has been done, as you have also said to go in for verification. Therefore, the migrants living in Jammu, Delhi or in any other state should be given full assistance. The Maharashtra Government have said that it would extend full assistance to the migrants. Similarly, the migrants living in Delhi or in any other place should be given full assistance. It is the duty of the whole country to come forward to help the people who are in trouble. It would have been much better if the conditions were made conducive by the Administration for their comfortable living in Baramulla, Kutwala, Anantnag or the places to which they originally belong. They could be provided tented accommodation and para-military forces could be deployed to their safety and from there they could look after their property also. Even now such conditions can be created so that

migrants can go back to their native places.

Mahatma Gandhiji had also seen a ray of hope in Jammu and Kashmir. We cannot forget Shri Sheikh Abdullah. At the time of Kashmir invasion, he gave a slogan.

MR. DEPUTY SPEAKER: You should have spoken briefly.

(*Interruptions*)

SHRI DHARAM PAL SHARMA: I am just concluding within two minutes. At that time he gave a slogan that 'Hamlawar hoshiyar, har Kashmiri Taiyar' In 1947, the slogan was - 'Shere Kashmir Ka Kiya Irshad, Hindu-Muslim-Sikh etihad'. That is how he saved the Sikhs at that time. There are several such instances. (*Interruptions*)

I would like to say that today the situation in Jammu and Kashmir has become serious. While replying in Rajya Sabha, the day before yesterday, the Prime Minister gave a strong warning to the Pakistan, even then arms were seized yesterday in R.S. Pura sector and day before yesterday, some more incidents took place in Jammu. Therefore, the situation in Jammu and Kashmir is very serious. We know as to what is happening in Rajouri-Poonch areas and also at the international border Kathua. The situation in Jammu is also deteriorating. Anti-national elements and terrorists are living in Jammu also. One such person, who was also a harbourer was arrested there. There are also several others with whom we have to deal. Therefore, I would like to say that if Pakistan does not respond favourable to our appeals, statements and to the world opinion and continues to interfere in our internal matters, we shall have to snip off our diplomatic relations with Pakistan and call back our Ambassador from Islamabad. We have to take such steps. The Kashmir has always been and will remain in integral part of our country and whatever sacrifices we need to make for it, we are ready to do that as we have also laid it down in our constitution. Thousands of our soldiers have been guarding the border and have lost their lives there

since 1947. Our sole aim was the liberation of Pak Occupied Kashmir and to get it settled under Simla Agreement and to achieve that end, we had decided not to resort to military action against that country. Kashmir is an integral part of our country. (*Interruptions*)

Under such circumstances we shall have to make concerted efforts with strictness and with the cooperation of all the concerned leaving far behind all our political considerations because country is greater than any thing else. Some Sikhs and Muslim facilities have also migrated to Delhi and about 400 Sikh families have migrated to Jammu. Therefore, facilities should be provided to all the migrants. Our full cooperation is always with you for improving the situation. Six MPs from Kashmir are sitting here, they should have been called. The I.G. has ruined us, he may not do the same with you. You can call us at any time. The Minister incharge of Kashmir Affair is also not available. He does not find time to call the members of the committee. It should be viewed quite seriously and political colour should not be given to it. Members of all political parties such as the Janata Dal, the Congress, the National Conference and the BJP are sitting here. Political parties in Kashmir should be provided protection, because no political party is prepared to work there. People in Janata Dal are my friends but they have not uttered even a single word against terrorism. With these words I conclude.

SHRI YUVRAJ (Katiyar): Mr. Deputy Speaker, Sir, the burning problem of Kashmir which has been raised by Kumaramangalam is of much significance I have been listening careful to the views of the hon. Members, particularly from Kashmir who have been participating in the discussion on the General Budget, during the last two days. I felt that the Jammu and Kashmir problem is a national problem. Unless we consider this issue rising above narrow party politics and win the hearts of the Kashmiries, we shall not be able to create an atmosphere of peace and harmony in the State. Mere allegations and counter-allegations cannot help in solving the problem.

The Hon. Prime Minister had convened an all party meeting and the hon. Members of all the major political parties participated in it. Efforts have been made to create an national consensus in this direction. I agree that the terrorists are indulging in large-scale terrorist activities in the Kashmir valley. This is not a problem which was created one or two days back. This problem is not a creation of last three-four months as well. It was already there. The situation deteriorated because the Pak supporter terrorists of Azad Kashmir have been indulging in terrorist activities by infiltrating into our borders. This is why Srinagar city has been deserted and about 30,000 families have migrated from there and taken shelter in Delhi, Jammu and at other places. We should create such conditions so that the migrants can go back. But in order to ensure their return, the terrorists have to be dealt with an iron hand and steps should be taken to solve the Kashmir problem by consulting all the national parties.

Efforts should be made to solve this problem rising above party politics as it is not a problem of the Congress Party or the Janata Dal or the National Front. Unless we all discuss this issue and find a solution together, we shall have to face difficulties. This would mean a threat to our sovereign existence. With these words, I conclude.

SHRI YADVENDRA DUTT (Jaunpur): Mr. Deputy Speaker, Sir, I was listening to the speeches very carefully. I rise to speak not for an intention to deliver a speech but to offer some suggestions as desired by You. My first suggestion is that the way the hon. Member have made their submissions in full throated voice in the House about which it can also be said that

[*English*]

they have carried their conscience on their shirts sleeves

[*Translation*]

it should have been done in Jammu and

[Sh. Yadvendra Dutt]

Kashmir. What happened when Shri Handoo went there? Why has there been a deterioration in the situation? The entire administration has collapsed. The reason behind the non-functioning of the administration is that the people of Ladakh and Jammu are not represented in it. All such persons have been selected who are traitors. Just now an ex-M.L.A. was hanged. The Home Minister will state whether I am submitting a fact or not. Didn't Shri George Fernandes have a telephonic conversation with him? It was only thereafter that he was hanged. Right from bottom level officials such as telephone operator, etc. to the top level officers, all are in collusion with terrorists. There is hardly any administration worth the name there. I would suggest that all officers of IAS and IPS cadres should be called back and new officers should be posted there. There has been much uproar about the fact of their being Kashmiri Pandits. Whether they are Hindus or not why are they being driven out? In view of their being Hindus would the Government of Kashmir accept them in their fold in due course of time? Why have they deserted their land? My suggestion would be that the Government should get them rehabilitated in Rajouri, Dada and Poonch areas and they should be given arms to protect themselves. People migrate when they feel helpless. Why are they not given weapons? Are you afraid of them? They are patriotic people. What arrangements have been made for their security? You provide them with foodgrains worth Rs. 450. Are they animals that they will survive on grass alone? First of all, arrangements should be made for their security. You should rehabilitate them. The entire administration from top to the lowest level is involved in spying. And here we have been crying over shortage of medicines there. Who are suffering from the shortage of medicines? It was the kith and kin of those traitors who are suffering from it.

[English]

'Do not call him a terrorist, he is a traitor.'

[Translation]

If the traitor could not get medical aid it should not be a matter of concern. When the civil war between the North and the South America broke out, did President Lincoln initiate any political process? This suggestion about holding talks is meaningless. Can there be any negotiation with a traitor?

[English]

First treachery must be crushed and crushed ruthlessly.

[Translation]

Can there be any negotiation? Their morale gets a boost while the question of political process is raised. They want that they should form a parallel government. Therefore, for God's sake, this talk about starting a political process should stop and treason should be crushed.

[English]

Crush brutally and ruthlessly.

[Translation]

I would like to submit one point more. The hon. Home Minister's residence is at Anantnag. Is it not true that six training camps have been set up there. There are also forests nearby. Women are also being given training. I would like to know as to what steps have been taken to prevent it? My suggestion is that steps should be taken to bomb these camps with the help of Air Force.

[English]

Bomb the camps, Sir, it does not matter if hundred thousand people were killed. The integrity of the nation must be maintained at any cost.

[Translation]

PROF. SAIF UD DIN SOZ (Baramulla):
The Minister of Home Affairs must reply to

this point.

SHRI YADVENDRA DUTT: What should said

[*English*]

I am confused. So, what to talk with a confused man.'

[*Translation*]

PROF. SAIF UD DIN SOZ: "You do not understand English," I did not say so.

SHRI YADVENDRA DUTT: You said so. My second suggestion is that we have fed Kashmir and today

[*English*]

those persons are biting the hands that have fed them.

[*Translation*]

Therefore the subsidies should be withdrawn and then let us watch the reaction.

PROF. SAIF UD DIN SOZ: Who are you to feed them?

[*English*]

you withdraw this word.

[*Translation*]

SHRI YADVENDRA DUTT: The Government is ours. Are you getting subsidies or not. (*Interruptions*)

[*English*]

PROF. SAIF UD DIN SOZ: Mr. Deputy Speaker, Sir, I object to this. He must withdraw his words. I am prepared to listen to him but... (*Interruptions*)

SHRI YADVENDRA DATT: Sir, is it not a fact... (*Interruptions*)

MR. DEPUTY SPEAKER: No, please.

SHRI A. CHARLES (Trivandrum): Sir, we are living in a democratic country. We are not having a military rule. (*Interruptions*)

MR. DEPUTY SPEAKER: You please take your seats. When I am standing you have to sit down. When I am on my legs, you have to sit down please.

I would request the hon. Member to pick and choose his words. Every word you utter here, has its implications. So, please be careful.

SHRI YADVENDRA DATT: Sir, if my friend is so annoyed, shall I say that all subsidy granted to Kashmir should be withdrawn? Will that satisfy him?

MR. DEPUTY SPEAKER: No, please.

(*Interruptions*)

PROF. SAIF UD DIN SOZ: What is this subsidy? Sir, here in the House people should speak with responsibility. What is this subsidy? He is not an educated man as to what is the situation.

MR. DEPUTY SPEAKER: Mr. Soz, you please take your seat. You please allow me to control the House. If you shout like this then it is very difficult to control the House. I have heard what you have to say. I am conducting the House. You please take your seat first.

PROF. SAIF UD DIN SOZ: Sir, I will take the seat but he will have to withdraw his expression.

MR. DEPUTY SPEAKER: You don't understand, Mr. Soz. What you want, you will get it but why do you shout like this. I have understood it. Please sit down. You have made a very good point. I agree with you. You please allow me to control the House.

Dattaji, I would request you to withdraw what you have said.

SHRI YADVENDRA DATT: All right, Sir. If you say so. I withdraw my words.

MR. DEPUTY SPEAKER: You are a responsible Member of the House. Please see that the feelings of others are not hurt. you are dealing with a very delicate issue.

SHRI YADVENDRA DATT. Finally, Sir, I would say that all the trouble started when the Government started releasing the so called terrorists. It was wrong on the part of the Government of India to have released them but it was equally wrong on the part of the Jammu and Kashmir Government to have released from July 1989 to December, 1989, 70 terrorists. Sir, they were those who were trained to make bombs and other armed equipments. You should also remember that one of the Ministers in Jammu and Kashmir, Shri Shaffi Jaffri—I may not be knowing his name rightly—released about 45 terrorists. I would like to know why all this upmanship. It was wrong. We must stop it.

If necessary, if this revolt goes on. I would appeal to the Government to hand over Jammu and Kashmir straightaway to the Army for maintaining the integrity of the nation.

[*Translation*]

SHRI HARISH RAWAT (Almora). Mr. Deputy Speaker, Sir, the terrorist are holding the reins of the a administration in Kashmir. This fact has been revealed by hon. Shri George Fernandes himself. The people belonging to J.K.L.F. broke the jail and flew away. The way vultures collect around a crops, these people are similarly active in Kashmir to take advantage of the condition of Jammu and Kashmir. This can be illustrated by the Jammu incident. Sir, I had made three points that the situation is serious, delicate and we can observe it in this light. When an all party meeting had taken place at the behest of the Congress party we had been struck with a ray of hope. Three points emerged out of the meeting. Firstly, a separate Ministry shall be formed for the Kashmir affairs. The Government will come

out with an action plan in the all party meeting and by taking it as a national problem it would be discussed together and concerted efforts would be made to find a solution. A Minister was appointed and a committee was set up to assist him. Before the Committee could pick up political threads, some members resigned on the plea that they were being neglected. Today a report has appeared in the Press that the Minister of Home Affairs and the Minister for Jammu and Kashmir have some differences over the Kashmir issue. The Governor is trying to advance his own political interest by creating a rift between them. So far as the action plan is concerned, nobody knows what has happened to that plan. We are repeating it time and again that some action plan should be brought immediately in this regard.

We do not say that you inform the Members of Parliament whether the Government has drawn up the action plan and whether he is working on it. What we are saying is that we should start working on some action plan immediately, so that the situation is brought under control.

Mr. Deputy Speaker, Sir, as far as the question of taking a national initiative on Jammu and Kashmir, based on consensus, is concerned, today I have to say painfully that our whole national leadership, including of course those from our side did not say that they are aware of the problems, difficulties or hardships faced by the people of Jammu and Kashmir and that they would endeavour to solve those problems. We had hoped that the challenge that we faced in Kashmir would be grasped fully and that the Government would be competent enough to solve the problem in all seriousness. It is not just a problem of Jammu and Kashmir, but the values and standards charished by India are in question here. We cannot take it lightly. Sir, I want to tell those people who do not agree with our views on many issues, that the people of Kashmir and other hill areas like the people of other far-flung areas including the North-East, have always been vigilant in preserving their special identity and they have been more explicit about it but

when a new Government at the Centre came to power and certain qualitative changes came about in its train a doubt was created in the minds of the people of Kashmir due to the fact that the new Government has come to power with the support of such a political section, which has its own predilections about the special identity of Kashmir. I would like to ask those friends of mine, who have a commitment to scrap Article 370 and which they have been demanding for years. There may perhaps be some logic or reasoning in what they have been saying all these years. I do not want to go into it, but I would like to say that we should all think deeply about it whether by constantly repeating the demand for scrapping Article 370, are we not helping, knowingly or unknowingly, those forces which are bent upon separating Kashmir from India? It may be that, today those people who are talking about scrapping Article 370 are getting widespread support in other parts of the country on that account. I am not saying that they are demanding it deliberately, but it may be that indirectly they are cultivating their Hindu Constituency. Today, it is necessary to think seriously whether this demand is having any negative impact because they will have to rethink about it and those who have made a resolve to scrap Article 370 and are repeating that demand over and over again, should tell this House to whom they want to give a message through that demand? I have no objection, if they want to give this message to any other part of the country, be it Delhi, Uttar Pradesh or Madhya Pradesh. They may give these political message to them, but if they want to give this message to the people of Kashmir, then by repeatedly demanding the abrogation of Article 370, are they not weakening those nationalistic forces which include our hon. Home Minister, Shri Mufti Mohammad Sayeed as well, who are ready to assert with determination that Kashmir is an inalienable part of India? Do you want to weaken those forces? Do you want to enfeeble those voices? Today, in Kashmir, it is only National Conference and Farooq Abdullah who can put across their points forcefully. Therefore, our endeavour should be to see that the National Conference or Farooq Abdullah do not feel isolated, or alienated from the p

of Kashmir. I have great personal regard for the hon. Home Minister. I have seen him working there as the P.C.C. (Pradesh Congress Committee) President. I still praise the work he has done in strengthening the nationalist forces there, but since he took over as the Home Minister, it appears that he is being guided by some of his predilections. So I am not demanding here any clarification from him. I only want him to do some introspection and find out whether he has any predilection in his mind and whether the same predilection had inspired him and his Government at the time of Jagmohan's appointment also. If he had any predilection, he is now getting the opportunity to shed it. I will conclude my speech within two three minutes. Today many forces are projecting the Governor as the protector of Hinduism.

SHRI GULAB CHAND KATARIA (Udaipur): Mr. Deputy Speaker, Sir, my humble submission is that we have been listening to the same thing for the past eight days. Almost everyday, the same thing is being repeated. I wish that instead of repeating the same things, if the hon. Member gives some suggestions to solve the Kashmir problem, it would be better.

MR. DEPUTY SPEAKER: You please take your seat. Let him speak in his own way.

SHRI GULAB CHAND KATARIA: Mr. Deputy Speaker, Sir, you please look into his earlier speech. The same things have been said again and again.

SHRI HARISH RAWAT: I did not name any party specifically.

SHRI GULAB CHAND KATARIA: But, you have repeated those things again and again.

MR. DEPUTY SPEAKER: He would not speak the way you want him to speak. You please sit down.

20.00 hrs.

SHRI HARISH RAWAT: Mr. Deputy Speaker, Sir, in categorical terms I want to

[Sh. Harish Rawat]

tell all those who are taking recourse to politics in the name of Article 370, those who are doing politics by demanding more powers for the Governor and those who instead of asking the Hindu migrants to go to Kashmir and telling them that any sacrifice done for the country, if necessary, would be less, those who instead of doing this, are inciting the Hindu psyche, I want to tell them that they are helping all those who have been waiting for an opportunity, since 1971-72, when we created a new nation namely, Bangladesh, on the map of the world, under the leadership of Shrimati Indira Gandhi...
(*Interruptions*)

Mr. Deputy Speaker, Sir, since that day they have been on the look-out for an opportunity to weaken India and behind all this, there is a big power, whom we challenged in the Bangladesh war. I urge upon the hon. Home Minister to kindly look into this aspect. I feel that knowingly or unknowingly and perhaps under compulsion, your Government is tilting towards that big world power. I am not talking about any Fairfax or Hershman connection. I am referring to the political tilt. That power which is helping the mujahideen in Afghanistan and the terrorists in Punjab through Pakistan and today that power is helping the extremist forces in Kashmir. Need of the hour is to recognise that power and stand up against that power with firmness and raise voice against it.

Mr. Deputy Speaker, Sir, I know that our Government has some compulsions, but you will have to tell Pakistan in categorical terms that the people of India have not forgotten the occupied Kashmir. Therefore, if Pakistan tries to provoke us in any way, then the actual line of control would not be where it is today and it would be somewhere else. Merely repeating these things in Parliament would not do, but with national preparedness, the Government should be courageous enough to convey this to Pakistan, through diplomatic channels and at whatever levels, we can speak to them, in clear cut-terms.

Sir, I know that the Union Government has some weakness. It is standing with the support of two crutches. In this way, some handicap has naturally come to it..(*Interruptions*)....

I have not said anything unparliamentary in this and Sir, the designs of one of the crutches are very clear and if it had its way, it would not miss any opportunity to bring about the fall of the Government even by leg-pulling. The Home Minister should comprehend it. This Government may be weak, but India is not weak and on the issue of Kashmir, we are neither the Congress, nor the Janata Dal nor anything else. We are all Indians and if you work for solving the Kashmir problem with firmness, the whole nation will stand by you. This is what I wish to say here. Thank you.

[*English*]

SHRI NIRMAL KANTI CHATTERJEE
(Dumdum): How long will the House continue to sit?

MR. DEPUTY SPEAKER: There are some members who want to speak. So, the House will continue to sit upto 8.30 p.m.

[*Translation*]

KUMARI UMA BHARATI: (Khajuraho): Mr. Deputy Speaker, Sir, I am grateful to you for giving me an opportunity to speak. Actually I rise to speak not for the sake of saying something but to join my other colleagues in expressing concern and anguish over the crisis in Kashmir.

The Kashmir problem is not so complicated and there should not be any hesitation on the part of the Government in solving it. Just now we were listening to our hon. colleague Shri Harish Rawat who said something about our demand of scrapping Article 370 of the Constitution in respect of Kashmir. Whenever we express our intentions in this regard...

SHRI HARISH RAWAT: I have not mentioned the name of your party.

KUMARI UMA BHARATI: I have not said anything that is beyond the hon. Member's level of understanding. People like me have not yet learnt the art of beating about the bush. Gradually I may also learn to do so like you. But I very well make out the meaning inherent in his submission.

MR. DEPUTY SPEAKER: The subject under discussion today gives little scope for beating about the bush.

KUMARI UMA BHARATI: I really don't want to waste the time of the house. I just want to make 2-3 points. But if someone interrupts while I am speaking, I shall not count the period of interruption as part of the time allotted to me.

Sir, on my visit to Tanzania I met some Kashmiri families settled there. At that time I did not know much about this matter. They told me that the Kashmiri families which were uprooted from Pak-occupied Kashmir have settled in Himachal Pradesh and other parts of the country. Even these people do not have the right to buy land in Kashmir. I do not understand why they have been deprived of this right. I suggest that Kashmiris who have been uprooted from their homelands should be given the right to return to Kashmir, buy land over there and settle down. What I cannot understand is why Shri Jagmohan is being blamed for the Kashmir crisis. In fact, the speech of hon. Shri Soz on virtually every other speaker for that matter seems to indicate that the crisis in Kashmir started with the appointment of Shri Jagmohan as Governor of the State and with his removal as Governor of J&K the crisis will come to an end. Didn't the Kashmir problem exist earlier? Before blaming Shri Jagmohan it must be kept in mind that the Kashmir problem was already existing at the time of the appointment as Governor. The solution to the Kashmir problem lies in dealing a heavy blow to the secessionist forces which are active in the State. The Government should keep these secessionists under pressure till

they come into the national mainstream. Looking for any other way to solve the Kashmir problem will result in loss of precious time leading to a further deterioration in the situation.

The Pak-occupied Kashmir radio is indulging in poisonous propaganda which is influencing the minds of the people in Jammu and Kashmir. Government should in its own way, jam this broadcast. I don't want to say much. To the hon. Home Minister I would say that the Kashmir problem and the Punjab problem are totally different in nature. The Kashmir problem is quite clear. The Government should not hesitate in taking a decision. The secessionist forces in Kashmir should be sternly dealt with.

As far as Article 370 is concerned, we feel that the Kashmir problem cannot be solved without abrogating this Article. Only a person with a strong conviction like Shri Shyama Prasad Mukherjee could make a suggestion like this. And we are not saying this with an eye on catching Votes.

With these words, I conclude and once again thank you for giving me an opportunity to speak.

[English]

SHRI DINESH SINGH (Pratapgarh): It is not my intention at this late stage of the debate to repeat any of the points that have been made earlier by my friends and colleagues. My colleague, Shri Rawat, has already put forward very forcefully the point that we all have.

Kashmir issue is not a party issue today; it is a national issue. And what gives me pain is that despite the fact that we are willing to offer every possible cooperation to the Government to find a solution to the difficult situation that has arisen in Kashmir, the Government has not come forward with any concrete proposals in which it needs our support. And this is the real problem in Kashmir that the Government has not been able to formulate any policy by which it can

[Sh. Dinesh Singh]

tell this country and people abroad that we mean business. There is no point at this stage in apportioning blame. I can understand if my friends in the opposite say that it is not a problem they have created; it is a continuing problem. Then I can also say that they were part of all the policies that were made in Kashmir when they were with us. Therefore, that does not take us anywhere; that does not lead to a solution. The solution can emerge only if the Government comes forward with a positive programme of how it is going to solve this difficult situation. If they wish us to be participative in the evolution of that programme, we are quite willing to work with them. But they have to take the initiative. They have to prepare a programme. My friend, the Home Minister, knows the situation in Kashmir much better than I know. Therefore, we expect from him a programme in which he himself believes that he can find a solution to the State from where he comes. In the absence of that programme, we are sending wrong messages to people in this country, to people living in the State of Jammu & Kashmir and to those who are supporting terrorism from outside, that the government does not have a programme, that the Government is not determined to meet this situation and therefore, they can continue to take liberty. And this is what is happening everyday. Day by day, the situation is deteriorating; is not improving. Does not matter who was there before and who is there now. I am not even entering into that dispute. All that I am saying is, we will be quite happy if the Government either comes forward with a programme in which we all believe that it will lead to a solution today, tomorrow, a little later or that the Government is able to control the situation on its own. There is no desire on our part to force ourselves on the Government to give our advice or give our views. We leave it entirely to the Government. But they must have a view. The real difficulty that is coming before us is that we are giving an impression of a Government totally helpless in dealing with this situation and this will have far reaching effect. It is not going to limit to the State of Jammu & Kashmir. It is not even

going to be limited to Punjab or any other part of the country where there may be some fissiparous tendencies. It is going to effect the very basic polity of this country. We have never accepted the two-nation theory and we have in this country a large number of people professing different religions who wish to live peacefully and work together. In the whole of South Asia this is the most progressive country, this is the most liberal country with a democracy which is firmly established. We cannot give an impression that by inaction of the Government in the State of Jammu & Kashmir we are going to lose all this. This is the real dilemma: this is the real fear. I hope, when the Home Minister speaks, he will come forward with a programme which will convince us, convince this country and convince others that this Government means business; it can handle the situation and that it will find the solution.

SHRI LOKANATH CHOUDHARY (Jagatsinghpur): Mr. Deputy Speaker, Sir, fifteen days back when the house first met, we, in this house, unanimously resolved that Kashmir should be brought back to normalcy and the terrorists should be isolated. There was a unanimous opinion that in Kashmir there is no communalism, there is still communal harmony. But during these fifteen days, the things have gone from bad to worse. Not only the exodus has grown in numbers but also the forces which are working there Congress, CPI and CPI(M) people are being gunned down. The terrorists are now trying to spread their activities to Jammu, where there is no communalism, and yesterday's incident is the testimony of it. What I want to say is that before we are starting the democratic process of involvement of people, the terrorist on one side and the Pakistanis on the other, have started the offensive. So, the House has a right to know from the Home Minister what concrete plans, concrete actions that were unanimously proposed by this House, have been taken to make an advance in Kashmir and isolate the militants. There is an opinion that the Congress has, no doubt, committed mistakes in Jammu & Kashmir State but Jagmohan's appointment as Governor and the subsequent events that

have taken place in Kashmir have, no doubt, compounded the things. Specially the dissolution of the Assembly has alienated the whole of Kashmir people from the mainstream. It is also said I do not know how far it is true; the Home Minister must review the whole situation- that there is a communal undertow in the whole administration- in the transfers and other things that are taking place. Here, I want to make one point and that is that when the Government is adopting a strategy or the House is adopting a strategy, is it true that the main emphasis is being given on winning over some militants? This is supposed to have been on winning over some militants? This is supposed to have been said by Jagmohan in a press conference. I want to warn the Government that this is a very dangerous position. This will take the country in another direction. While having talks with the country in another direction. While having talks with the militants, we must not leave aside those people who are linked with Kashmir and with whose help Kashmir can be brought back to the national mainstream. So, Sir, the situation is now drifting. I want to say that when the situation is drifting, a doubt will come to the mind of everybody that this will virtually take us to a position where article 370 will be abrogated. Do you want such a position where the country should drip Kashmir should drip? We know that many people have raised the question of article 370. I want to say that the history shows that before the Indian army reached Kashmir, it is the Kashmiri people who defended themselves against the Pakistani invasion before the instrument was signed was signed. So, Kashmir has been given a different status and that is justified also. In the Constitution also, we have said that nothing can be done without their consent. So these are the provisions of the Constitution. It was historically evolved. So, if somebody without by-passing the history of the National Movement, wants to take the country in opposite direction, it will be very difficult. Moreover, I would like to submit that the Government must draw up a concrete plan of action, as has been suggested by Shri Dinesh Singh that there should be a concrete action for Kashmir. Secondly, Sir,

the whole situation including all the actions of Governor, Mr. Jag Mohan, since he joined there, should be reviewed by the Government very seriously. There should not be any partisan outlook on this. If there is a partisan outlook, it will harm the unity and integrity of the country. I agree with what Mr. Samarendra Kundu has said- "shining pearl of the turban of India", that is, Kashmir. I think the Government has taken diplomatic offensive. But I want to say that in Kashmir there should also be good officers who should be drawn from different parts of the country including the Kashmiris, having non-communal credentials because Kashmir administration has collapsed. It has gone to such a worse condition. All the nation political party leaders should frequently go to Kashmir. Locally also it has been suggested that the National Conference, the Congress and other political parties should meet and a committee should be formed and the Governor, in consultation with that Committee, should also work and many economic measures should be taken to mitigate the sufferings of the people there. Along with it, when we know that Pakistan has started offensive propaganda in fomenting communal hatred, the Government should take stringent measures in preventing communal incitement not only in Kashmir but elsewhere also. Along with these measures, this House must resolve to the effect that serious effort should be taken in dealing with Kashmir situation. If they do not take serious step in tackling the situation in Kashmir, I would say that they are side-tracking the reality and help the process of drifting from the real issue. Thank you.

SHRI UDAYSINGRAO NANASAHEB GAIKWAD (Kolhapur): Sir, many things have been said in this august House regarding the situation in Jammu and Kashmir. I would like to say a few words in this regard. Sir, the situation in Kashmir is deteriorating day-in and day-out and everybody will agree that Kashmir is a part and parcel of India. But even then practically every year this demand has been raised and the discussion is taking place here in this august House. But today's discussion is of a paramount importance

[Sh. Udaysingrao Nanasaheb Gaikwad]

because the situation in Kashmir is going from bad to worse. 30 Persons were killed in police action and they are from all walks of life. 25 thousand families, that means to the tune of one lakh people, have moved out of Kashmir and that too, they are Pundits, Junior officers were killed, DSP was shot dead, former MLA has been kidnapped and hanged to death. Women were molested and raped. Government knows all this, but it is doing anything. That is why I am telling all these things.

Sir, yesterday when I was watching TV, to my surprise Doordarshan was showing what all is happening in Pakistan. What I have seen on the TV is the popularity of the Prime Minister of Pakistan, Benazir Bhutto and the developments in Pakistan in the educational field, industrial field and other fields and Benazir Bhutto's going to foreign countries, meeting the dignitaries and all these things we were seeing on TV for about half-an-hour. So, I would like to say that when we are discussing a serious situation here in this august House, at the same time on the TV, that too on our Indian TV, they are showing Pakistan and their developments as if we have to learn something from them. I really feel, Sir, that there must be someone sitting in Doordarshan like Sukracharya and doing all these things, but Government is not taking any cognizance of these things.

Secondly, many organisations are working against Kashmir and Pakistan is giving crores of rupees to these organisations to train the terrorists. So, the first thing is that if we want to stop all these things, then we have to ban these organisations. One of our hon. Members, Shri Kumaramangalam, has rightly pointed out that this is the hour of the day when our Government should come out and ban these organisations which are doing nuisance in Kashmir. I do not know what the Government is doing because if Pakistan is spending crores of rupees for these organisations, then we must take notice of it because they are training the terrorists, they are spending money on terrorists and in Kashmir they are adding fuel to the fire by

bringing about this situation.

Sir, I would like to add one more point. Three years back I was in the United States to attend the United Nations General Assembly session. I was one of the delegates from India. There, all the dignitaries were delivering their speeches and saying about their foreign policies, and when the Pakistan Foreign Minister Sahabzada Yaqub Khan got up and started saying about his country's foreign policies, he had a mention about Kashmir. In fact, the Kashmir problem has nothing to do in the United Nations even though he had mentioned about Kashmir. Then we asked for the right of reply there and our Ambassador to the United Nations had said that this problem has nothing to do in the United Nations.. This problem comes within the framework of only the Simla Agreement which was signed on 2nd July 1972 by our late Prime Minister Indiraji and the then Pakistan president Mr. Bhutto. So, whenever there is any question about Kashmir, then we have to sit and solve this bilaterally rather than taking it to the United Nations. I am telling all this to you because every year practically in the General Assembly of the U.N. this question is coming up and their purpose is to keep alive this situation and we know that we have to solve this question within the framework of Simla Agreement. But most of the countries in the world are also of this opinion that this question is to be solved within the framework of the Simla Agreement. Even day before yesterday, hon. Shri Arafat also said that this question should be discussed within the framework of the Shimla Agreement and even then the question is coming again and again. Now, the situation in Kashmir, looking into all these things, is going from bad to worse and the Government must take some firm steps against those who are doing all these things. I wish, while answering to today's debate our Home Minister will come out with a concrete proposal to solve this problem.

[Translation]

PROF. PREM KUMAR DHUMAL: Mr. Deputy Speaker, Sir, we are not discussing Article 370. I was the first to speak on behalf

of my party and I did not mention Article 370 in my speech. The hon. Prime Minister said in this House the he stands by Article 370. Our leader, hon. Shri Advani, has made it clear that his stand on Article 370 is untenable but at present we are not pressing for it. We are with the House in this matter. Article 370 is not relevant to the problem and the entire House should sit together to resolve this crisis.

[English]

SHRI PIYARE LAL HANDOO (Ananatnag): Hon. Deputy Speaker, Sir, I thank you for having been called upon to make some submissions though I have no intention to participate in the debate today, as I did not give myself the right to participate earlier also when the Calling Attention Motion came up for discussion. That is for one simple reason and the reason was that we have perhaps become too much used to use of words, words and words; words seemed to have lost meaning in respect of a State where the Government's view is that the situation is very grim and in respect of a State over which the neighbouring country lays its claim.

MR. DEPUTY-SPEAKER: I think we will continue to sit until the hon. Home Minister's reply to the debate is over.

SEVERAL HON. MEMBERS: Yes, yes.

SHRI PIYARE LAL HANDOO: The distinction between Punjab and Kashmir is that Pakistan has not yet laid its claim over Punjab. Here in Kashmir, Pakistan is separated from you because of the line of actual control which is not the international border; it is accepted by the Government of India also, though it is not the ceasefire line. But, even so despite the Prime Minister's efforts to evolve a national consensus, despite the fact that two meetings were held for more than 10 hours on 7th and 8th of March and despite a public announcement about the national consensus arrived at, I do not think any Party is ready to go by the national consensus and each Party has its own view

to propagate at every point of time which really enhances my agony, in which I am these days. It also gives a feeling of shock; in our total eagerness seems to be to propagate the Party line as much as we can. What tempted me to seek today is an observation made by the esteemed friend Mr. Datta that subsidy to Kashmir should be stopped. I can assure him as a Member of this House and as one who has been a Minister in the State of Jammu and Kashmir that there is no special subsidy at any point of time which has been granted to Jammu and Kashmir State. All that they have been getting is what every other Indian State gets, perhaps much less than that, but there was a subsidy which was known as food subsidy that was given in 1953 when Shri Sheikh Mohammad Abdullah was arrested and that the record be straightened, it was Shri Sheikh Mohammad Abdullah who stopped that subsidy in 1975. There was no other subsidy given to the Jammu and Kashmir State at any point of time except for a period and then reasons which you can yourself imagine and the man to kill whom politically, the subsidy was given, ended the subsidy.

MR. DEPUTY-SPEAKER: Mr. Handoo, you please skip that point; you need not have to stress that point.

My humble suggestion is, what is the national consensus arrived at in the two meetings presided over by the Prime Minister on the 7th and 8th of March. How far has Govt. gone in implementing the national consensus. Why is it that the things have gone bad after the meetings of 7th or 8th of March, despite national consensus?

My only request to the hon. Home Minister would be, he has witnessed very recently the death of three of his best friends, the death of three of my best friends, the death of political activists and we must find time to visit the mothers of those political activists. He is not finding time; I am not finding time to visit. What is it that has made the gunmen to go and enter the house of Abdul Sattar Ranjoor, Secretary of the Communist Party of India in Kashmir, aged

[Sh. Piyare Lal Handoo]

73 years and to kill him in his own house? How had it become possible for the gunmen to go into the house of Ghulam Nabi; Kuller and to kill him? You can imagine these things in Srinagar and Baramulla. But this happened in the rural areas. This only shows that the situation is worsening because the national consensus has not been implemented.

I said, last time, in the course of the debate, nobody thought of revival of the Assembly, nobody thought of getting back or keeping the Governor, Jagmohan. I only suggested and wanted the hon. Home Minister to let the nation know, before the time is too late, what is the perception of the Government of India. Does it share the perception of Shri Jagmohan? Mr. Jagmohan has not kept his perception concealed. He has held three or four Press conferences and he has made his perception known. I want the hon. Home Minister to tell the House whether he shares the perception of the Governor, Jagmohan.

A reference was made today by my friend, about the release of 70 terrorists by the then Government headed by Dr. Farooq Abdullah. I am sure, this is based on a news—item that appeared in the columns of the *Indian Express*. I think, the House should recapitulate that last time also I said that similar notes from the official files were found published in the newspapers. How is it that the official notes, official letters written by Mr. G. Jagmohan to the then Government of India in July, 1987 and July, 1989 get published in the *Indian Express*? I will again ask the hon. Home Minister to kindly read today's *Indian Express* about this headline which has appeared in the first column. I request him to tell us who had disclosed what was written on the official notings about the release of 70 terrorists, in July and December, 1989. Which is the line of communication for publication of these official, confidential notes? You will be surprised to note that the recordings of the chief of the Advisory Board,

the Chief Justice of Jammu and Kashmir State are found published in the columns of the *Indian Express*. I understand, what Mr. Jagmohan is doing. He wants to isolate the National Conference and the Congress. He can have the joy of his conception. We will sit aside and we will sit on the fence. Let him try Janata Dal and BJP to initiate the political process and let Jagmohan communicate with the people through them. It is not necessary that the National Conference should do us, if Janta Dal and BJP can do it. If he is hostile to us, if he is ready to physically liquidate us, we are ready to sit on the fence. We take responsibility for the release of those persons. I take the responsibility. But let the whole file be placed on the Table of the House, to see who recommended their release what were the directions of the High Court. Even if we have gone wrong on the 29th of December, 1989 or 11th July, 1989, is it necessary for him to go wrong again? If he has studied that file only now after 4 months of becoming the Governor, is it necessary to send the official notes to the *Indian Express* and get it published?

What I said last time was. Mr. Jagmohan has his own perception about Kashmir based on his work in 1985-86, when he led the formation of Muslim United Front. I beg of the hon. Home Minister only to share with us, whether his perception is the same as that of Mr. Jagmohan.

The hon. Prime Minister has told the House that they did not know about the dissolution of the Kashmir Assembly. Therefore, this was the perception of Shri Jagmohan to dissolve the Assembly and not of the Government. If today Shri Farooq Abdullah were to be in office, the whole nation should have raised a hue and cry and called for dissolution of the Government. For whose dissolution can we cry today when the conditions are deteriorating day by day? This is what the Home Minister must reply. Therefore, there is some vital difference between the perception of Shri Jagmohan and the Government of India. The two cannot go together. This is my submission.

[Translation]

KUMARI MAYAWATI (Bijnor): Sir, I wouldn't like to comment on the Kashmir problem and the possible solutions to it because a lot has been said on it in this House. The law and order situation in Kashmir is going from bad to worse. The Government should give this problem serious thought. The reason for the deterioration of the law and order situation in Kashmir must be found out. We must try to understand what has emboldened the spirit of terrorists in Kashmir.

MR. DEPUTY-SPEAKER: Don't raise that point. Please confine yourself to the issue under discussion as time is very limited.

KUMARI MAYAWATI: What has emboldened the spirit of terrorists in Kashmir and why is Pakistan actively helping them are some of the questions to which the Government must find answers. Immediately after the formation of the National Front Government the daughter of the hon. Home Minister was kidnapped and some terrorists who were in jails were released in exchange for her. I think that the morale of terrorists would not have been boosted if the hon. Home Minister had managed to disregard family considerations to safeguard national interests. We cannot also discount the possibility of Pakistan overtly helping the terrorists or any political party having a hand in providing assistance to terrorists.

We will have to give a serious thought to such factors as to what is our attitude towards our Hindu—Muslim brethren in Kashmir. We repeat it again and again that the Hindu families living in Kashmir are migrating to other places in the country in very large numbers. If in this House we will go on repeating our concern for the security and safety of the Hindu families living in Kashmir, it may happen that tomorrow such a thing can give rise to the feeling of insecurity in the minds of the people belonging to the Muslim community of Kashmir. In my view other countries can take advantage out of

that situation. So we should give a serious thought to it and try to improve the increasingly deteriorating situation of law and order in Kashmir by going into the very roots of the problem. It is my appeal to the hon. Minister of Home Affairs that he will give a serious thought to this problem and find out a solution for it. Only then the situation of law and order can improve in Kashmir. As I have been allotted a little time, I would be brief and conclude with a hope that the hon. Minister for Home Affairs will take suitable steps to solve the problem by taking stock of the whole situation.

MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Mr. Deputy Speaker, Sir, the situation in Kashmir which is being debated today in the House was debated for for about nine hours on the very first day of this session and as many other hon. Members have also pointed out that on that day the House has unanimously passed a resolution after a detailed discussion on the problem of Kashmir and situation prevailing in the State. After that the day before yesterday also the issue of the migrants from Kashmir was discussed in the House. In my view the change that has taken place in the situation in Kashmir in the past 10-12 days is that the militant organisations aided by Pakistan and the Jamiyate Islamia, which are the very backbone of this movement, have now made such secular figures like Mir Gulam Mustafa, Abdu Sattar Ranjoor and Gulam Nabi Coller as their targets in the absence of any active nationalist party in Kashmir. So it means now the purpose of such forces in Kashmir is to finish such people whose thinking is secular and progressive and who are not in line with the Jamayate Islamia ideology. This is an indication for all those political figures who belong to different political parties in Kashmir as to what has been the fate of these can be their also. Despite all this, some people who were elected as independents and who have worked among the people also brought out a procession in Chandura, the home town of Mir Mustafa to protest against the terrorist activities of the J.K.L.F. and other such militant organisations in Kashmir. But the reac-

[Sh. Mufti Mohammad Sayeed]

tion was not strong enough though it has proved at the same time that people dislike such things. So it is the very aim of the terrorists to create fear among the people. Shri Handoo and Shri Dinesh Singhji have also said that the all party meeting which was called by the Prime Minister had made some recommendations after visiting Kashmir which have been implemented by the Government. A committee was constituted... (*interruptions*) I am referring to the same thing. A Minister of Kashmir Affairs was appointed and a member of each party was included in the Committee. I am referring to the five-member committee of all parties in Jammu and Kashmir which as Shri Handoo said, had a meeting with hon. Minister of Kashmir Affairs that lasted for ten hours, five hours on first day and five hours on the second day. This committee decided to go to Jammu to meet the refugees there. All the five members went to Jammu and held a meeting there. I told Shri Dinesh Singh that Congress is a very big party and since last forty years it is the only party which had played a significant role all over the country and understood the national issues. Then how did it all happen? A representative of their party in this committee has gone to the press saying that he has nothing to do with this committee any more. You can not expect the problem of Kashmir to be solved in matter of four-five days. It requires time and we are not capable of doing any miracles. In fact, no one is capable of it. How can a member of the Committee give such a statement in the newspapers that no solution has been reached in the meeting or that he was not even consulted. How irresponsible! What impression would it have on the people of Kashmir and what will they think about it? I feel that it is not good to play politics at this crucial stage. I know that the person concerned cannot be cowed down but why did it happen? The solution to the problem call not be reached in such a short span five or of seven days. You have suggested an action plan. We think that it is a capsule of what the committee thinks. Some say that political activities should be initiated, others say the

administration needs to be geared up, still others say that efforts be made to heal their wounds. If the All Party Committee arrives at a decision and the Government delays its implementation, it would be appropriate to go to the press and issue a statement but prior to that it is not fair. The Committee had a meeting for ten hours over 4 days in Jammu but I would like to ask whether any problems can be solved within ten hours or four days for that matter. It was a decision taken unanimously at a high level by all the parties in both the Houses. We have proved to the entire world that we are united. We have made the world understand that when it is question of integrity and unity of our nation and in face of any challenge, we all stand together but then why this resignation was tendered all of a sudden? It is not right to ask for explanation from any one individual in particular. We would have waited till the next meeting and see what happens. If nothing concrete would have come out in that meeting, the step taken by him would have been justified. But the problem is that people of Kashmir are afraid of coming to the meeting. A meeting of members of all parties could have been held in Kashmir and it could have discussed the atrocities that were committed in Kashmir... (*Interruptions*)

[*English*]

MR. DEPUTY-SPEAKER: You allow the Minister. Please keep quiet. The Minister is quite capable of handling the situation.

[*Translation*]

SHRI MUFTI MOHD. SAYEED: I want to say that we are making efforts to maintain peace in Kashmir valley according to the Action plan. I have discussed the matter with hon. Minister-in-charge also. We must ask Shri Kar as to why he did that? He should not have done it because it can have adverse effect on the situation.

I am pained at the incidents that took place in Jammu. It is our bad luck. Earlier the atmosphere in Jammu was not at all communal. The incidents that occurred in Jammu

two-three days back was mere pretext. The situation was brought under control before it could worsen. We will be cautious in future so that such incidents do not recur.

Hon. Shri Soz said many things about Shri Jagmohan yesterday. I fail to understand how a person who was in his good books till recently has now become target of criticism. It was said that he had forced the Kashmiri Pandits to flee Kashmir against their will. I am not all ready to accept this charge. On the contrary, the Governor provided them with Government accommodation in Baramulla and Anantnag and told them that there is no need for them to run away. He appointed a special commissioner to look into the matter. It would be unjustified to say that the Governor hatched a conspiracy or spoiled the atmosphere further in Kashmir. Kashmiri Pandits have not fled Kashmir to take shelter in Jammu or Delhi.

One of our hon. friends said some thing about the temples. I would like to tell him that not a single communal incident has taken place there. I admit that terrorists have shot dead Mir Mustafa and Gulam Hassan. These terrorists have fixed targets. We have received no such reports that they had entered somebody's house forcibly and looted people. No such incident has been reported from any part of the State. Our Hindu brethren and workers of National Conference are fully secure there.

We are aware of the intentions of Pakistan. Pakistan's motive is no secret any more. Prime Minister of Pakistan has said in Pak—occupied—Kashmir that Jagmohan should be thrown out of Kashmir. The Government of Pak occupied Kashmir has raised special Kashmir Fund and sanctioned Rs. ten crores for this purpose. Chief Minister of Punjab in Pakistan Shri Nawaz Sharif is publicly supporting the rebels. There is no need to try to produce concrete evidence. Their intention in this regards is crystal clear. They intend to spoil the atmosphere. Since 1947 itself, they have been trying to create tension in Kashmir and spoil the atmosphere. As far as the borders are concerned

they are under the control of army. The Army is meant for foreign enemy and to protect the line of actual control. We know that with the melting of snow the passes open and therefore we have taken all steps to check infiltration from either side. But I would not go into the details. State security forces have also made some headway in this respect. They have arrested some 26 subversives who were attempting to cross the border and elicited valuable information from them. Secondly, there is a separate security force named I.T.D. for banking institutions and Telegraph offices. Among the paramilitary forces we want the C.R.P.F. to deal with processions etc. because B.S.F., is not used to such things. In case of stone pelting C.R.P.F. has shown lot of restraint. Therefore, in the case of public undertakings we have set up a separate security force. Apart from this there are some people whose life is in danger. Some of them say they do not want security. We have provided security to 129 publicmen. We provide security wherever we have information that security is needed. The murder of Ranjoor and Mir Mustafa has generated a kind of fear psychosis among the people. One of my hon. friends stated that there is no special allocation for Kashmir. When the previous Prime Minister Shri Rajiv Gandhi paid a visit to the State in 1986-87 during the chief ministership of Farooq Abdullah, one of the grievances of Kashmir Government was that the 10% of the plan allocation was grant and 90% was loan, whereas in the case of Himachal Pradesh it was the reverse, viz 90% grant and 10% loan. So they have to repay the interest.

[English]

That was one of the major issues.

[Translation]

The entire cabinet requested the Prime Minister to have special provision for Kashmir and bring it at par with Himachal Pradesh and North East. Kashmir has progressed a lot. Education is free from the primary to the post graduation level. No fee is taken in

[Sh. Mufti Mohammad Sayeed]

technical institution be it a medical college or an engineering college or a polytechnic. So there has been a distinct progress. But still some feel that there has been discrimination and there is need to set it right.

The other problem is regarding local officers. The officers of the Kashmir Administrative Service are selected in the IAS and this is done by every State. Sometimes the local officer becomes a Deputy Commissioner whereas an I.A.S. officer who is allocated Kashmir cadre becomes subordinate to him. Sometimes the Deputy Commissioner is from K.A.S. whereas the Divisional Commissioner is an I.A.S. During the time of Sheikh Sahib and Bakshi Sahib 50% posts were reserved for Kashmir Administrative service and 50% were given to outsiders. The similar was the case with I.P.S. officers that is 50% posts were reserved for local officers and the rest got the other half. Now this quota has been revised and slashed down to 30%. I have instructed the Department of Personnel that if this continues there will be no Kashmiri officer in the next 2 or 3 years. We are trying to revive the local administration at the Patwari level and at Tehsil^{dar}'s level so that the involvement of local officer is possible. Local officers have to be involved in the administration and police. They can help a lot in searches and in arresting people. Sometimes it did happen that a local police man who did his job well, was punished by the terrorists. I would not say the entire administration has turned against us. People complain against the local police just as it happened in Punjab in the beginning. Even now they demand for C.R.P.F. C.R.P.F. and B.S.F. work with determination. The action has been taken against all thirty muslim officers against whom there were substantial evidence. The action is being taken as per report. But attempt has been to involve the entire administration. The Kashmir armed police numbering about 30 thousand is on duty everywhere and has been entrusted with the job of gearing up the administration. Shri Handoo has inquired about the Governor's perspective and mine

too. Our perspective cannot be same. The Governor has been sent there on a special mission and I do not think that the situation would worsen further. Simply there is lack of administrative control. Some people thought that the situation would turn into something like that of Romania. They thought that they would get freedom within a few days. I have an anecdote. When someone asked the people coming from Kuthsiang, "when are you getting freedom." They replied after two months." At this the person replied nonsense. "We would get freedom within a matter of five days." This was the situation there. It seemed as if it would be all over within a few days.

All this has ruined Kashmir's economy. A lot of people in Kashmir depend on tourism viz. the boatmen hotel owners, taxi drivers, and many more. Similarly, workers come there in the morning from villages toil for the day to earn their livelihood. During the last 3-4 months the workers have been rendered jobless. I hope things would be alright though it may take some time. Things will become normal once again. There will be no curfew. Buses and trucks would ply normally. In Punjab things are different. For the last six-seven years the terrorists have gone on shooting spree killing people at random whether in Abohar or elsewhere. Thousands of people have been killed in such incidents. Shooting of bus passengers and killing of labour are everyday occurrences. I would like to say that this is not a problem that could be solved overnight, but I am confident that with every one's cooperation normalcy would return to Kashmir very soon.

21.00 hrs.

There are right-minded people as well but a favourable atmosphere needs to be created to initiate dialogue. Not to talk of the National Conference which has a large followers, even at the call of a person like me, though I do not consider myself to be of that stature, the people, howsoever few, will come forth for co-operation with the administration. Everywhere and almost in all villages you will find people who think that happen-

ings taking place in the city of Srinagar are not in the interests of Kashmir. There are the old party workers whose thinking remains unchanged and uninfluenced with what is happening there. But a congenial atmosphere has to be created for them to work for strengthening nationalistic forces and this can be achieved by the administration alone.

I am not in favour of taking stringent measures only but wherever it is necessary, it should be taken. Stringent measures are taken at times when it is learnt that a person has been killed and the assailant has taken refuge in a particular locality. Search operations need to be conducted to spot the culprit and a little high handedness become indispensable in the course. But it has been endeavour on our part and in fact I have also issued orders to this effect to the C.R.P.F. etc. that firing is resorted to by them only when it is absolutely necessary and in order to control the processions led by women, two or more companies of ladies C.R.P.F. have been deployed.

What I am trying to emphasise is that it will take time in yielding result. Therefore, in the wake of any untoward incident, asking for a debate on Kashmir every other day will have a counter productive effect. I would, therefore, request the hon. members that treating this problem as a problem of Kashmir alone may destabilise the whole democratic system of India and create a situation even worse than that of 1947. This is the problem of all of us, as I have talked to Sh. Dinesh Singh in this regard. In 1947, people like Gandhiji and Nehruji were committed to the cause of India and took a stand on it; but, today, you can't save the situation if anything untoward happens in Kashmir. Hence, if Kashmir is to be saved if India's secularism and integrity are to be saved, the conspiracy of weakening our country will have to be busted. We can't allow Kashmir, which is a part and parcel of our country, to be separated from India at any cost.

Dear friends, whosoever work there in whatsoever capacity, whether in Police or

any other civil service, they work at our backing in the absence of which. Their thinking and determination to work may vacillate. This type of wrong message from our part should not get conveyed to them. Whether it is Shri Jagmohan or any other responsible officers, I would stress "either to take it or leave it." The wrong message, that Kashmir can be separated from India, shall be prevented not only to flow to Kashmiries, alone but the whole world ground. We can't afford to leave Kashmir.

I submit that we have had enough of debate and my friends have expressed their ideas on it. Something was told about the Assembly yesterday and I said I was firm on my decision.

[English]

SHRI P.R. KUMARAMANGALAM (Salem): Sir, I would like to have half a minute before the hon. Minister finishes his reply.

[Translation]

SHRI MUFTI MOHAMMAD SAYEED: I have told that the Assembly existed and it is still there. We have to set the Kashmir situation right and we believe in political process. And as I said: I may be wrong in my assessment as I am not fully acquainted with the matters of law—As regards the dissolution of the Assembly by the Governor, when the Council of Ministers recommends its dissolution, he can't taken a decision on his own account he forwards the recommendation to the President for his concurrence. I remember, when Shri Sheikh Abdullah was the Chief Minister in 1947, the then Governor, Shri L.K. Jha, recommended for the dissolution of Assembly to the President of India on the advice of the Council of Ministers. Of course the Governor is the executive head and he is empowered to dissolve the Assembly under the constitution; still I think that he should do so only on the recommendation of the Council of Minister. This seems to be more logical, we have

[Sh. Mufti Mohammad Sayeed]

also referred the matter to the Law Ministry for their comments. Thereafter a decision can be taken in this regard.

[*English*]

SHRI PIYARE LAL HANDOO: If the Governor takes a decision without consulting the Government, then the matter becomes really very serious.

[*Translation*]

SHRI MUFTI MOHAMMAD SAYEED: Basically, its moral authority can't be derived from the fact that the Governor sends the recommendations of the Chief Minister or the Council of Ministers to the President for his concurrence. But when there is no representative body, no council of Ministers to recommend the dissolution except the Governor himself, what can be said?

[*English*]

The Chief Minister means the representative of the Assembly, the representative of the people alongwith his council of Ministers.

[*Translation*]

We can think of a political decision only after we get to know the opinion of the Law Ministry whether the Governor is empowered to take a decision on his own in the absence of a representative body or not.

SHRI G.M. BANATWALLA (Ponnani): Cautious steps need to be taken for reviving Assembly as it involves not only a legal question but also a political one.

SHRI MUFTI MOHAMMAD SAYEED: I must say that legal aspect of the point needs to be examined first, before we go in for a political decision.

SHRI DHARM PAL SHARMA (Udhampur): It is true that a note recommending the dissolution of Assembly was sent to the Home Ministry on 30th January and on 19th Feb. the Assembly stood dissolved? I would like the facts to be confirmed.

SHRI MUFTI MOHAMMAD SAYEED: The Governor, in his monthly reports, elaborated the measures taken by him. Regarding dissolution, he said that it would be a step in the right direction and he would discuss it when he would come to Delhi. There was a recommendation as such it was only an information.

[*English*]

SHRI P.R. KUMARAMANGALAM: I would like to assure you on behalf of the Congress Party that as soon as your Committee starts functioning or you bring out your proposed programme of action and start taking steps, we will fully participate and we also guarantee our cooperation. We will always stand by you. There is no question otherwise. Shri Kar's resignation was a reaction to inaction. It was not meant to do anything more than to provoke some action at least from this Committee so that the problem can be solved. There was no other reason. I would assure the hon. Home Minister for that. We are only feeling sorry, because we had expected some sort of assurance that there would be an announcement for some programme or a plan today, because there was a discussion on this for three days. However, no plan or programme has been forthcoming... (*Interruptions*)

SHRI K.S. RAO: My only request to the hon. Minister is to speak some words to infuse confidence in the nationalists, who are making sacrifices there and not to create any confidence in the terrorists to continue their actions.

[*Translation*]

[*English*]

SHRI MUFTI MOHAMMAD SAYEED:
We have decided to go there to express solidarity with those who died. I have been in politics since 1959 and they are my colleagues and my brothers. As many as 2000 persons participated in the funeral procession of Shri Abdul Sattar Ranjoor. This speaks of love & brotherhood among its people. Therefore, if I don't go there and meet people who else will? But every political activity takes time.

MR. DEPUTY-SPEAKER: I think, the explanatory statements given by BJP and the Congress Party are quite encouraging.

21.19 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, March 29, 1990/
Chaitra 8, 1912 (Saka).*