

(*Interruptions*)

MR. SPEAKER: What is he doing, you are standing on every point without the permission of the speaker. I would like to tell Mr. Soz that this is not good. (*Interruptions*)

[*English*]

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, apart from supporting what Mr. Dinesh Singh has said, I am on a different matter. Yesterday we had a brief discussion regarding the Adjournment Motion on Kashmir, whether it should be accepted or not. I was taking part in that. Though we opposed the adjournment motion, we supported a discussion to take place in the House. Now, the things are very serious there. The kind of activities that have to be combined there is to have administrative action and appeal to the masses and mass contacts. These two are not being linked up and thereby the people are getting alienated more and more. Day before yesterday, the killing of Mirwaiz Farooq had created a wrath in the minds of the people against the militants. But that was subverted by the kind of action the security forces had taken on the mourners. I had also demanded yesterday that the Prime Minister gave a commitment in this House that there will be kind of enquiry on the firing on mourners. That has not come in this House so far. In this situation, we have given a deep thought on the issue and we feel that the continuance of the present Governor is further alienating the people. We demand his removal immediately and that is why I demand that we have a discussion in this House and I have given a notice under Rule 193. We should all come together to save Kashmir and the people there. (*Interruptions*)

MR. SPEAKER: Mr Indrajit Gupta.

SHRI INDRAJIT GUPTA (Midnapore): Sir, I just want to make a brief submission regarding the matter raised by Mr. Chaudhury. According to the Government—

yesterday's statement that there made here - 27 people were killed in the . . . ng. Subsequently, I came to know that according to the BBC—one may or may not believe the BBC, but BBC's news is generally not inaccurate—they have said that over 47 people have been killed and over a hundred are injured. Whatever it is, there seems to be no doubt that an excessive use of force was there. It may be that they were provoked by some action of the militants or something but, nevertheless, excessive use of force has been there as a result of which a large number of ordinary people, civilians, have been made the casualties. I want to say one thing. Previously though we had opposed the original appointment of Mr. Jagmohan as Governor, subsequently, we did not go on pressing for his immediate withdrawal because it was felt that it would give a wrong signal to the militants and it would be taken by the militants as a victory, as a success for them. So, we were keeping quiet. But now we feel after what had happened yesterday that some other signal should go to the people of Kashmir, not a wrong signal but a right signal, the signal that we want to give to them. I think the whole House agrees with that part of it and the people of this country are vitally interested in seeing that the people of Kashmir are not further alienated from our country but they are drawn closer to us and brought into the mainstream. From that point of view, a discussion is very necessary on the whole thing and I would ask the Government also to reconsider the whole position as to whether continuance of Mr. Jagmohan as Governor there is necessary. He has not expressed any regret for what has happened there as far as I can see. Therefore, we do not want wrong signals to be given to the people of Kashmir that some sort of occupation of army is there. It is not so but, that is what the impression created will be. Therefore, we want an urgent discussion on this matter and the whole thing should be discussed here.

PROF. SAIF UD DIN SOZ (Baramulla): More than hundred people have been killed (*Interruptions*)

*Alleged assault by Delhi Police on*

[Translation]

PROF. VIJAY KUMAR MALHOTRA (Delhi Sadar): Mr. Speaker, the entire House has expressed its grief over the happenings in Kashmir during previous 3-4 days. Maulvi Farooq has been killed there.

SHRI MOHAMMAD SHAFI (Srinagar): Mr. Speaker, Sir, what is the matter? You never give us a chance. I have to sit every time, I stand up.

MR. SPEAKER: It is so because you stand up without my permission. Please sit down.

PROF. VIJAY KUMAR MALHOTRA: There was firing on the funeral procession of murdered Maulvi Farooq in which according to Minister 27 persons were killed. But according to later informations many person have died.

[English]

PROF. SAIF-UD-DIN SOZ: More than 100.

[Translation]

PROF. VIJAY KUMAR MALHOTRA: Yesterday, Advaniji also had expressed his grief over his murder. Since, death is first of all death and all of us express our grief in the event of killing committed by terrorists or by the police. As has been reported in the press, inquiry into the fact that the force used was more or less has been handed over to C.B.I. If the Home Minister himself wants to look into the matter, he can also do that. But not to say any thing against the terrorists and not to criticise them despite the fact that Maulavi Farooq has been killed by the terrorists in connivance with Pakistan and favour the terrorists either directly or indirectly is unpatriotic (*Interruptions*). Such things are often repeated. (*Interruptions*)

[English]

SHRI JANARDHANA POOJARY

(Mangalore): Sir, I am on a pint of order. The hon. Member Mr. Malhotra has stated that anything to say in favour of militants is anti-national.

MR. SPEAKER: What is your point of order?

SHRI JANARDHANA POOJARY: I am coming to that. But nobody, either Mr. Indrajit Gupta or Mr. Saifuddin Choudhury, has stated anything in favour of militants. It is an aspersion on the speakers who spoke prior to Mr. Malhotra. So, it should be expunged. (*Interruptions*)

[Translation]

PROF. VIJAY KUMAR MALHOTRA: The Congress President Sri Rajiv Gandhi often in his speeches here has said that the situation in Kashmir deteriorated following the Government's inability to take strict measures. And now as Government has started to take strict action he has started opposing the same. (*Interruptions*)... their dual policy has aggravated the situation there. (*Interruptions*)

MR. SPEAKER: Please sit down.

PROF. VIJAY KUMAR MALHOTRA: I do not agree with the speakers who have spoken earlier to me. (*Interruptions*) I, agree to have a full fledged discussion. To get a clear picture of the things and a full fledged discussion should be held instead of discussing it in parts. But we are not in favour of the removal of Governor and giving the signal that the terrorists can pursue their activities unchecked. Giving such signals would be inappropriate.

SHRI CHANDRA SHEKHAR (Ballia): Mr. Speaker, Sir, every Indian is aggrieved at the happenings in Kashmir, but today we are feeling ashamed also. At the very outset I would like to make it clear that terrorism should be condemned irrespective of its place and this too that the nation should not hesitate in making greatest sacrifice even of human lives for keeping the country united

and protecting its sovereignty. But firing in the name of sovereignty is beyond my comprehension. No country or parliament can accept or approve firing on a funeral procession by any Government official. It is said that the bullets hit even the coffin of Manhir Farooq.

Secondly, Mr. Speaker, I would like to request through you that in case of such sentimental issues the statements by authorities like a Governor or some other official should be issued with a great restraint. The report of 27 deaths instead of 47 not only brings contempt of House but also erodes the faith of the people in Government. I would not like to comment upon the role of the Government but say this much that the people might be aware of one thing that right in the beginning I had said that this Governor would prove disastrous for Kashmir as well as the country. Now the qualities seen by the Government in him stand discredited, the Government should reconsider its decision. (Interruptions)

MR. SPEAKER: You have had your say. Now I would like to say that B.A.C. would sit again after one and a half hour.

SHRI MAHAMMAD SHAFI: Mr. Speaker, Sir, also. I have a personal complaint and I have not been given the chance to express it.

MR. SPEAKER: Please sit down.

SHRI MAHAMMAD SHAFI: I would make my personal complaint in one minute.

[English]

SHRI VASANT SATHE: Sir, in view of what we have heard just now from all sides, this matter should be taken up for discussion and the Business Advisory Committee can endorse it. If you like, if the House is of the opinion that we should start discussion immediately on this matter, we should allow

the discussion and it will be over by 3 O'clock or at least the Business Advisory Committee should say that it should start at 4 O'clock today. (Interruptions)

[Translation]

MR. SPEAKER: I did not call you. Please be seated.

[English]

SHRI G.M. BANATWALLA (Ponnani): Mr. Speaker, Sir, the assassination of Mir-waiz Moulvi Farooq as also the firing by the security forces on the mourners and the entire situation in Kashmir are shocking and stunning. I must say that every minute... \*...continues as the Governor of Kashmir, every such minute, adds to the alienation of the people of Kashmir.

[Translation]

MR. SPEAKER: It will be better if you do not mention name of anybody. It is not good to refer to a person who is not present in the House.

[English]

SHRI G.M. BANATWALLA: Every minute the present Governor continues in office adds to the alienation of the people of Kashmir from the rest of the country. This is a very serious matter. The situation has deteriorated so much that mourners are indiscriminately fired upon and that even the *Janaza* is hit by the bullets of police ordered by the trigger-happy Governor of Kashmir and not less than five bullets have hit even the coffin of the assassinated respected personality of Kashmir. Such is the shameful game of the Governor. The situation in Kashmir cannot be further tolerated. Therefore, it is necessary that an immediate discussion must take place and even before the discussion takes place, the Government must rise to the occasion and recall the present

[Sh. G.M. Banatwalla]

Governor. That is the first step towards the normalisation of the situation in Kashmir. So, both, the immediate recall of the Governor and an immediate discussion here in this House, are necessary. Let no further time be wasted upon that.

[Translation]

SHRI MOHAMMAD SHAFI: Mr. Speaker, Sir, I am thankful to Shri Chandra Shekhar for giving expression to my sentiments. But the hon. Home Minister did neither express his point of view nor make a statement in this regard.

[English]

In his own home town, called Badasgaon,

[Translation]

a marriage procession was being taken out in the evening on the twentieth of that month. The CRPF personnel assaulted up all the members of the marriage party and gangraped the bridegroom's mother.

On the eve of my departure to Kashmir, I informed the Home Minister and his office regarding my proposed visit to the valley and they said that I was at liberty to go wherever I liked to go at my own risk. I was told that adequate security arrangements would be made at my arrival there. But to my surprise, I did not find any security arrangements there when I landed at the Srinagar airport. However, after much of supplication and entreaty I managed to get lift in a military jeep after everybody had left the airport. My wife was accompanying me. After I reached my bungalow, I felt as if I was house-arrested for those 6 days of my stay in the city. Therefore, I requested the Director General Police on telephone to make arrangements to escort me at least up to the airport so that I could be able to attend the session of the Parliament. The Home Minister told the Director General that if he came to my rescue in person, he

would come across my dead body. I sent a written complaint to the Home Minister in this regard. In response to it, he sent me a letter saying, "I am looking into the matter."

I said it even yesterday. "I was charged, in clear terms, of being a Pakistani agent, I came across this fact from the newspaper. I was trying to make my point yesterday as well. The Home Minister stopped me and asked as to why I was going to that extent and agitating yesterday. I said that a hundred people had been killed and the press reports had given the toll to be 47. I told them to wait just for a day to find the figure of the death toll touching the mark of 127. This would not have happened even under the Nazi regime that not only the peaceful procession of mourners was indiscriminately fired upon but even the coffin was not spared and was hit by the bullets. The BJP men get irritated by a mere show of the 'sword of Tipu Sultan' on the small screen, that does not exist any more. The dead body of Maulavi Sahib was lying at rest in the coffin and the CRPF men fired 2-4 shots upon it for fear of Maulavi Sahib being alive as yet. The dead body also received five bullets.

Sir, they have always resorted to procrastination whenever the issue of Kashmir was raised. I have already stated that the Government.

MR. SPEAKER: Do not name anybody.

SHRI MOHAMMAD SHAFI: I have already said that normalcy cannot be restored in Kashmir until the present Government continues to hold the office.

MR. SPEAKER: Now, please take your seat, Shri Chitta Basu.

[English]

SHRI CHITTA BASU (Barasat): I think, the situation in Kashmir has deteriorated rapidly. I was happy to listen to the Prime Minister yesterday when he was pleased to intervene and remark that in finding a solution to the Kashmir problem, the people of

Kashmir cannot be ignored. The Kashmir problem is a political problem and the people of Kashmir have a role to play.

Unfortunately, the Governor's role has further added to the process of alienation of the people of Kashmir from the mainstream of Indian polity. I think, the alienation of the people does not contribute to the solution of the problem of Kashmir, thereby strengthening unity and integrity of the country and also in meeting the offensives of the forces from across the border. We are creating a condition which ultimately leads to further aggravation of the situation. Earlier also, we were not in agreement with the Government about the appointment of a particular person, the present Governor, as the Governor of Kashmir. I think, the situation has so developed that the Government should also reconsider and revise its decision in the larger interest of the nation, in the unity and integrity of the nation and for creating a condition for trying to reverse the process of alienation of the Kashmir people and to seek a political solution.

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#### PAPERS LAID ON THE TABLE

13.40 hrs.

[*Translation*]

**Review on and Annual Report etc. of Birds Jute and exports Ltd., Calcutta for 1988-89, of Cotton Corporation of India Ltd., Bombay for 1988-89 and two statements for delay in laying these papers**

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AND CIVIL SUPPLIES (SHRI RAM PUJAN PATEL): On behalf of Shri Sharad I beg to lay on the Table:—

- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of Companies Act, 1956:—

- (a) (i) Review by the Govern-

ment on the working of the Birds Jute and Exports Limited, Calcutta, for the year 1988-89.

- (ii) Annual Report of the Birds Jute and Exports Limited, Calcutta, for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library See No. LT-969/90]

- (b) (i) Review by the Government on the working of the Cotton Corporation of India Limited, Bombay, for the year 1988-89.

- (ii) Annual Report of the Cotton Corporation of India Limited, Bombay, for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library See No. LT-970/90]

- (2) Two statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above. [Placed in Library See No. LT-969-70/90]

#### **Notifications under Employees Provident Fund and Miscellaneous Provisions Act and Employees State Insurance Act**

THE MINISTER OF LABOUR AND WELFARE (SHRI RAM VILAS PASWAN): I beg to lay on the Table:

- (1) A copy of the Employees' Provident Funds (Second Amendment) Scheme, 1990 (Hindi and English versions) published in Notification No. G.S.R. 221 in Gazette of India