

[English]

SHRI BHOGENDRA JHA (Madhubani): Jammu and Kashmir is not an ordinary issue. Twice parliamentary teams have gone to the Valley, to Ladakh, to Leh and even to Jammu. Again we are to go. On this issue, on such an important issue when we have failed up till now to solve the problem, please do not rush it through. Let us discuss it. (*Interruptions*)

MR. CHAIRMAN: You have made your point.

(*Interruptions*)

SHRI MUKUL WASNIK: We also agree that Jammu and Kashmir is not an ordinary issue. It is a very important and a serious issue. And it is because of this reason that this House during this very session itself had discussed the situation on Jammu and Kashmir a few days back. And if this discussion is so important, I would request the hon. Members on the other side that let us be patient, let us discuss it and let us discuss it today. If it is so important, why are you trying to postpone it? If it is so important we should discuss it now and here.

And I would request the hon. Members that they should have some patience.

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): The ruling party should not be rigid. The House can assemble on Saturday. This has been decided.

SHRI MUKUL WASNIK: Moreover, there are some other business too.

[*English*]

SHRI SRIKANTA JENA (Cuttack): Mr. Chairman, Sir, you have already given your ruling that the Business Advisory Committee had decided to sit upto 7 o'clock. Now 15 minutes are remaining and we can compromise till that time. Let the Minister say something. Then, we will take up this issue tomorrow.

MR. CHAIRMAN: Yesterday, we sat till about 8.30 p.m.

SHRI SRIKANTA JENA: Sir, it is your own observation. We can sit upto 7 o'clock. Let the Minister initiate the debate.

MR. CHAIRMAN: Friends, for 5½ hours we have discussed about Jammu and Kashmir on the Supplementary Demands for Grants. And the business of Jammu and Kashmir is listed in the List of Business. All the Members know that today it will be taken up for consideration.

Now may I request the hon. Minister to move the Resolution?

18.7 hrs.

STATUTORY RESOLUTION RE:
APPROVAL OF CONTINUANCE OF
PROCLAMATION BY PRESIDENT IN
RELATION TO THE STATE OF
JAMMU AND KASHMIR

[*English*]

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
RAJESH PILOT): Sir, I beg to move:

"That this House approves the continuance in force of the Proclamation, dated the 18th July, 1990, in respect of Jammu and Kashmir, issued under Article 356 of the Constitution by the President, for a further period of six months with effect from 3rd September, 1993."

As this August House is aware, in view of the then prevailing situation in Jammu and Kashmir, a Proclamation under Article 356 of the Constitution in relation to the State of Jammu and Kashmir was issued by the President on the 18th July, 1990 on the recommendation of the Governor, Jammu and Kashmir. Earlier, on 19th January, 1990, the Governor, Jammu, and Kashmir, assumed to himself the powers of the State Executive and Legislature, placing the Legislative Assembly of the State under suspension under the provisions of the Constitution of Jammu and Kashmir. A month later, on 19th February, 1990, the State Assembly

was dissolved by the Governor, in exercise of his powers under the State Constitution.

As the law and order and security situation in the State of Jammu and Kashmir continued to be grim, approval of both Houses of Parliament was obtained from time to time for continuance in force of the Proclamation dated 18th July, 1990, in relation to the State of Jammu Kashmir. The current spell of President's Rule in the State shall be in force upto 2nd September, 1993.

In a recent report, the Governor has informed that while the security situation remains contained and under control, the level of terrorist violence continues to be fairly high. Pakistan is making constant efforts to push into the Valley the maximum number of Kashmiri youths who have been intensively trained in camps in Pakistan and POK.

The Governor has further reported that, on the whole, the Security Forces have done a fairly good job in containing militancy. With the setting up of a unified headquarters, the command and control of the operations of various forces has since significantly improved, and better coordination has been introduced in their functioning. The Security Forces have continued to exert pressure on the militants, through intensified operations, both on the LOC and the border and in the interior areas.

The Governor has further stated that the common people in the Valley appear to be tired, scared and confused due to the continued disruption of their traditional way of life and normal economic activity, and the acts of extortion, abduction and violence by militants against innocent civilians. The Governor has reported that during his visits to the various districts of the State, the people everywhere expressed their preference for the restoration of normalcy and revival of democracy. The fear of the gun has, however, prevented them from coming out openly against militancy. At the same time, the virulent propaganda and disinformation campaign carried out by Pakis-

tan and the overground apparatus of the militants in the Kashmir Valley, has also helped to keep up alienation among the people. In this context, it has been emphasized upon the Security Forces Commanders to deal most stringently with any case of indiscipline, so that the perception of harassment among the civilians can be minimised and the image of the forces can be improved. District level Screening-cum-Coordination Committees have also been activated, with a view to increasing coordination among the civil administration, police and the armed forces.

On the political side, the Governor has stated that despite threats to political leaders, a significant section of the grassroots organisation of the major political parties is still in favour of their respective party ideologies and can be stirred into activity if adequate stimulus is provided by their top leadership. While political leaders in the State have shown enthusiasm in initiating the political process, progress on the ground in this direction has so far been limited. Action to energise the political elements will, therefore, have to be continued.

In the past few months steps have been intensified to check infiltration/exfiltration of men and materials and to flush out militants in the hinterland. Significant successes have been achieved in the counter insurgency operations. Over 700 militants have been killed in encounters so far this year, including several senior leaders of various outfits, and a large number of weapons, including over 1300 AK series rifles, have been recovered. As a result of enhanced surveillance, there have also been a larger number of interception along the Line of Control and the international border, as compared to last year.

The Minister of State for Internal Security has visited the State several times in the past few months and has met a large number of people at various levels. He has also had discussions with local political personalities and officials at the State and District levels, with a view to increasing their involvement in the normalisation process. Certain steps have also been initiated for the revival of economic and

[Sh. Rajesh Pilot]

developmental activities in the State. Towards this end, meetings have been held recently in Delhi and Srinagar involving senior representatives of various Central Departments/Ministries, to develop practical action plans. To wean away the misguided youth from militancy, efforts are also being made to create increased employment opportunities for them in various Departments and undertakings of the Central Government, both inside and outside the State. As a part of the normalization process, the AIR and Doordarshan News Rooms, which had earlier been shifted out of the Valley, have since moved back and recommended operations from Srinagar. Serious efforts are also being made to activate the local administration and to make it more responsive and accountable.

While the aforesaid steps have had a positive impact, they have also resulted in an attempt by the militants to step up violence. The militants could be expected to persist with such efforts and sustain violence at a high level at least till the onset of the winter and closure of the passes. Recently, they have also tried to use every pretext to try and whip up protests and create situations of confrontation with the Security Forces. On 14th August, in a cowardly and dastardly act aimed at trying to create a communal divide, the militants selectively targeted and killed 16 persons of one community near Kishtwar in Doda District. We have also received reports of some foreign mercenaries infiltrating into the State to step up terrorism.

Action to flush out the militants from their hideouts and areas of concentration will be continued and the various initiatives, recently launched, will be further intensified. It will, however, take some more time to consolidate the gains. In view of these circumstances, the Governor has recommended that President's Rule in the State may be extended further.

Keeping in view the recommendation of the Governor, the situation prevailing in the State and taking all relevant factors into consideration, there seems to be no alternative but to further extend the President's Proclamation dated 18th July, 1990 for a further period of six months beyond

2nd September 1993. By the Constitution Amendment Order, 1993, issued on 24th February 1993, the maximum period up to which the President's Proclamation dated 18th July, 1990 can be in force, under article 356 of the Constitution. In relation to the State of Jammu and Kashmir, was extended to four years instead of the then permissible time limit of three years. Consequently, President's Rule in Jammu and Kashmir can continue till 18th July 1994.

In view of the position explained, I solicit the approval of this august House to the Resolution to extend President's Rule for a further period of six months, with effect from 3rd September, 1993.

MR. CHAIRMAN: Motion moved:

"That this House approves the continuance in force of the Proclamation dated the 18th July, 1990. In respect of Jammu and Kashmir, issued under article 356 of the Constitution by the President, for a further period of six months with effect from the 3rd September, 1993."

The time allotted for this discussion is two hours. Now Shri Madan Lal Khurana to speak.

[Translation:]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Chairman, Sir, the period of President's Rule in Jammu and Kashmir has to be extended by further period of 6 months since there is no other way out. Nevertheless, it is a time for us to brood over it. The objectives that were there behind extending the period of President's Rule in the State through this House, whether the Government have succeeded in achieving these objectives. Have we succeeded in checking terrorism? Have the Government been able to create a situation for holding elections? Apparently the Government have been unsuccessful on those fronts. This I am not saying in the capacity of a B.J.P. Member alone. In today's edition of 'Jansatta' a news in regard to the Jammu and Kashmir Congress Committee President has been published under the title— "Gulam Rasul Kendra Sarkar Ki Kashmir Niti Se Naraj Hain." What I mean

to say is that all kinds of people whether belonging to the Congress Party, the National Conference, the Bharatiya Janata Party, the Communist Party or the Janata Dal are all unhappy over the fact that the Union Government have, as a matter of fact, not framed any policy on the Kashmir Problem. Had there been even a confused policy, we could have taken up that for rectification ...*(Interruptions)* According to the Government. Statistics issued through a bulletin, which also came in newspapers, there have been 7000 deaths in Jammu and Kashmir during the last three years. The number of terrorist-victims in the valley during the last three years is even higher than the number of persons killed during the Indo-Pakistan wars. According to Government Statistics 7000 persons including 600 security personnel, 2050 terrorists died since January, 1990 till July this year. 1934 security personnel were severely wounded. It can be argued that these are old issues and Pilot Saheb has assumed the office only recently. But what has been the position during the last six months. 103 innocent people were killed during the last six months and 36 security-men were also killed. There is a spate of terrorism in Jammu region also.

Mr. Chairman, Sir, the bane of terrorism hitting the valley for the last six months has gripped the Doda district also of Jammu region during the President's Rule and moreover it is now spreading in Udhampur and Kathua districts as well. There has been a series of Bomb-explosions in Jammu city and several other incidents of terrorism also took place there. The point is that accusing Pakistan will not solve the problem. It is crystal-clear that Pakistan is creating problems for our country. No doubt, Pakistan is responsible for that, even then the Government of India should think as to what it is doing to combat these problems. What should be the strategy of our Government to combat the problems. What should be the policy of the Government of India in this regard.

19.00 hrs.

A new Governor has been appointed thereafter Pilot Saheb has assumed the office of the Minister of State in the Ministry of Home Affairs. A new team

was also sent to Kashmir but even then there is the impression that the situation has gone from bad to worse. It is correct that a few advisers have been replaced and some officers have also been transferred. Pilot Saheb opines that the Government has to adopt a liberal policy and that elections will be held. Similarly, he has given several other assurances. So far as the liberal policy is concerned, there has been an announcement made in the morning of today only that one Kashmir-cell has been constituted *(Interruptions)* I will say about its Members tomorrow since the time that was allotted to me is over. Mr. Chairman, Sir, it is 7 o'clock now. I will say tomorrow as to how the Kashmir Cell was constituted. *(Interruptions)*

[English]

PROF. PREM DHUMAL (Hamirpur): We will continue tomorrow.

[Translation]

SHRI MADAN LAL KHURANA: It has once been decided here, so it will not be proper to extend the sitting of the House.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): Mr. Chairman, Sir, I would like to make a request to the hon. Members that we can continue the discussion tomorrow. I am not saying 'no'. Tomorrow happens to be Friday. And we have Private Member's Business which starts at 3.30.

PROF. PREM DHUMAL: We can forego the lunch-hour tomorrow.

SHRI RANGARAJAN KUMARAMANGALAM: I do not think it is so easy to decide these things. I think, it would be fair. We should allow a few speakers to complete today so that at least before the Private Member's Business, we are able to complete this item.

[Sh. Rangarajan Kumaramangalam]

Then, we can think of other business because normally we get only 1½ hours. I think, this is the fairest suggestion I can make. Those who want to speak and are present here today, let them speak. There are many others—who, I am sure, are waiting to speak tomorrow—have thought that this will be over today, let them speak tomorrow. But let us finish before the Private Member's Business this particular item of business.

I do not think, I am too unreasonable in making this request. I would like the House to accept it.

SHRI BHOGEN德拉 JHA (Madhubani): You complete it before the Private Member's Business starts. That is reasonable. But that can be done tomorrow also.

MR. CHAIRMAN: Is it the sense of the House that we allow one or two more Members to speak today?

SEVERAL HON. MEMBERS: No, no, tomorrow.

SHRI RANGARAJAN KUMARAMANGALAM: Then, the problem is that we will never end up with that business. (Interruptions)

SHRI SRIKANTA JENA (Cuttack): Sir, I fully appreciate the feeling and the proposal of the hon. Minister. Tomorrow at 12.30, we will start this discussion and continue up to 1 o'clock. Let there be a break tomorrow for one hour. Then, from 2 o'clock to 3.30, we will continue. At 3.30 sharp, we will complete this discussion.

SHRI RANGARAJAN KUMARAMANGALAM: Then, there is another request. If that is what they want and they do not want to sit even for two Members today, then after Private Member's Business, we should take up Dunkel.

MR. CHAIRMAN: Is it the sense of the House that tomorrow we start the Kashmir issue at 12.30 till 1 o'clock? Then again, from 2 o'clock, and we finish

that at 3.30. If we cannot finish that at 3.30, we will take it up again at 6 o'clock. Is it the sense of the House?

SHRI RANGARAJAN KUMARAMANGALAM: I want to clarify what was the proposal which was accepted. The proposal is that we finish this resolution in any case at 3.30. Thereafter, after the Private Member's Business, we take up Dunkel. (Interruptions)

MR. CHAIRMAN: Is it the sense of the House that we finish this topic tomorrow at 3.30? The Minister will reply at 3 o'clock. Then voting will be at 3.30.

SEVERAL HON. MEMBERS: Yes. (Interruptions)

SHRI RANGARAJAN KUMARAMANGALAM: After 6 o'clock, the Dunkel proposals will be taken up for two hours.

HON. MEMBERS: Yes, yes.

MR. CHAIRMAN: Hon. Minister, anything more?

SHRI RANGARAJAN KUMARAMANGALAM: That is all. My proposal is that we complete it at 3.30. Then we take up Dunkel. (Interruptions)

[Translation]

DR. LAXIMINARAYAN PANDEYA (Mandsaur): It should be completed before 3.30 P.M. (Interruptions)

SHRI MADAN LAL KHURANA (South Delhi): When we raised the point, you stated that others were to speak. (Interruptions)

[English]

MR. CHAIRMAN: The House now stands adjourned to meet at 11 A.M. on the 27th August, 1993.

19 05 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday August, 27, 1993 Bhadra 5, 1915 (Saka)