

[Shri A. C. George]

R. 1054 in Gazette of India dated the 24th July, 1971, under sub-section (3) of section 48 of the Coffee Act, 1942. [Placed in Library. See No. LT-828/71]

- (2) A copy of the Cardamom Board Service (Classification, Control and Appeal) Rules, 1971 (Hindi and English Versions) published in Notification No. G. S. R. 1055 in Gazette of India dated the 24th July 1971 under sub-section (3) of section 33 of the Cardamom Act, 1965. [Placed in Library. See No. LT-829/71]

12.43 hrs.

MESSAGES FROM RAJYA SABHA

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

- (i) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Finance (No. 2) Bill, 1971 which was passed by the Lok Sabha at its sitting held on the 31st July, 1971, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."
- (ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 5th August, 1971, agreed without any amendment to the Agricultural Refinance Corporation (Amendment) Bill, 1971, which was passed by the Lok Sabha at its sitting held on the 31st July, 1971."

PUBLIC ACCOUNTS COMMITTEE

ELEVENTH REPORT

SHRI SEZHIYAN (Kumbakonam): Sir, I beg to present the Eleventh Report of the Public Accounts Committee regarding Audit Report (Railways), 1970 and Appropriation Accounts (Railways), 1968-69.

12.44 hrs.

STATEMENT RE. TREATY OF PEACE, FRIENDSHIP AND COOPERATION BETWEEN INDIA AND USSR

MR. SPEAKER: Shri Swaran Singh to make a Statement.

SHRI PILOO MODY (Godhra): May I make a submission, Mr. Speaker? May I be permitted to ask Comrade Swaran Singh a few questions after he has finished?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): I am glad he calls me a comrade.

I have the honour to lay on the Table of the House a copy of the Treaty of Peace, Friendship and Co-operation, signed to-day by me on behalf of the Government of India with Mr. A. A. Gromyko, Foreign Minister of the USSR Government, who has signed it on behalf of the Union of Soviet Socialist Republics.

Government welcome this Treaty as a further step towards strengthening friendship and co-operation between India and the Soviet Union. The Treaty will, we are convinced, provide a stabilising factor in favour of peace, security and development not only of our two countries, but the region as a whole. It is not aimed against any third country. In fact, we

hope that this Treaty will provide a pattern for similar treaties between India and other countries in this region. Such treaties between countries of this region would stabilise peace and strengthen their independence and sovereignty.

I should like to emphasise in particular that this Treaty is, in its true sense, a Treaty of peace. It strengthens our policy of non-alignment, respect for which is expressly mentioned in the Treaty. We sincerely hope that the policy of non-alignment will be further strengthened and will become an effective instrument for the safeguarding of our national interests and will be an important factor in the maintenance of universal peace and international security and in the lessening of tensions in the world.

It is a Treaty of peace, friendship and co-operation. It is also a Treaty of non-aggression. It further provides a credible assurance that in the event of an attack or a threat thereof, the High Contracting Parties shall immediately enter into mutual consultations in order to remove such a threat and to take appropriate effective measures to ensure peace and the security of their countries. This should act as a deterrent to any powers that may have aggressive designs on our territorial integrity and sovereignty. It is, therefore, in essence, a Treaty of Peace against War.

Sir, the world is presenting a rapidly changing and dynamic picture. There is a change in the configuration of various world forces. Our policy of non-alignment is a dynamic policy which can be adapted to these changing situations. I should like to assure Hon'ble Members that our policy of peace stands firm as ever. We have no designs on the territory of other countries. As the same time, we shall not tolerate aggression or threat of aggression from any country. We do not want to provoke war with any country. We shall do everything in our power to defend peace and prevent war.

*Treaty of Peace, Friendship and Co-operation between the Republic of India and the Union of Soviet Socialist Republics*

DESIROUS of expending and consolidating the existing relations of sincere friendship between them,

BELIEVING that the further development of friendship and cooperation meets the basic national interests of both the States as well as the interests of lasting peace in Asia and the world,

DETERMINED to promote the consolidation of universal peace and security and to make steadfast efforts for the relaxation of international tensions and the final elimination of the remnants of colonialisms,

UPHOLDING their firm faith in the principles of peaceful coexistence and cooperation between States with different political and social systems,

CONVINCED that in the world today international problems can only be solved by cooperation and not by conflict,

REAFFIRMING their determination to abide by the purposes and principles of the United Nations Charter,

The Republic of India on the one side, and the Union of Soviet Socialist Republics on the other side,

HAVE decided to conclude the present Treaty, for which purpose the following Plenipotentiaries have been appointed :

On behalf of the Republic of India  
Sardar Swaran Singh,  
Minister of External Affairs.

[Shri Swaran Singh]

On behalf of The Union of Soviet Socialist Republics :

Mr. A.A. Gromyko,  
Minister of Foreign Affairs

who, having each presented their Credentials, which are found to be in proper form and due order,

HAVE AGREED as follows :

*Article I*

The High Contracting Parties solemnly declare that enduring peace and friendship shall prevail between the two countries and their peoples. Each Party shall respect the independence, sovereignty and territorial integrity of the other Party and refrain from interfering in the other's internal affairs. The High Contracting Parties shall continue to develop and consolidate the relations of sincere friendship, good neighbourliness and comprehensive co-operation existing between them on the basis of the aforesaid principles as well as those of equality and mutual benefit.

*Article II*

Guided by the desire to contribute in every possible way to ensure enduring peace and security of their people, the High Contracting Parties declare their determination to continue their efforts to preserve and to strengthen peace in Asia and throughout the world, to halt the arms race and to achieve general and complete disarmament, including both nuclear and conventional, under effective international control.

*Article III*

Guided by their loyalty to the lofty ideal of equality of all peoples and Nations, irrespective of race or creed, the High Contracting Parties condemn colonialism and racialism in all forms and manifestations, and reaffirm their determination to strive for their final and complete elimination.

The High Contracting Parties shall cooperate with other States to achieve these aims and to support the just aspirations of the peoples in their struggle against colonialism and racial domination.

*Article IV*

The Republic of India respects the peace loving policy of the Union of Soviet Socialist Republics aimed at strengthening friendship and co-operation with all nations.

The Union of Soviet Socialist Republics respects India's policy of non-alignment and reaffirms that this policy constitutes an important factor in the maintenance of universal peace and international security and in the lessening of tensions in the world.

*Article V*

Deeply interested in ensuring universal peace and security, attaching great importance to their mutual co-operation in the international field for achieving these aims, the High Contracting Parties will maintain regular contacts with each other on major international problems affecting the interests of both the States by means of meetings and exchanges of views between their leading statesmen, visits by official delegations and special envoys of the two Governments, and through diplomatic channels.

*Article VI*

Attaching great importance to economic, scientific and technological co-operation between them, the High Contracting Parties will continue to consolidate and expand mutually advantageous and comprehensive co-operation in these fields as well as expand trade, transport and communications between them on the basis of the principles of equality, mutual benefit and most-favoured-nation treatment, subject to the existing Agreements and the special arrangements with contiguous countries as specified in the Indo-Soviet Trade Agreement of December 26, 1970.

*Article VII*

The High Contracting Parties shall promote further development of ties and contacts between them in the fields of science, art, literature, education, public health, Press, radio, television, cinema, tourism and sports.

*Article VIII*

In accordance with the traditional friendship established between the two countries, each of the High Contracting Parties solemnly declares that it shall not enter into or participate in any military alliance directed against the other Party.

Each High Contracting Party undertakes to abstain from any aggression against the other Party and to prevent the use of its territory for the commission of any act which might inflict military damage on the other High Contracting Party.

*Article IX*

Each High Contracting Party undertakes to abstain from providing any assistance to any third party that engages in

armed conflict with the other Party. In the event of either Party being subjected to an attack or a threat thereof, the High Contracting Parties shall immediately enter into mutual consultations in order to remove such threat and to take appropriate effective measures to ensure peace and the the security of their countries.

*Article X*

Each High Contracting Party solemnly declares that it shall not enter into any obligation, secret or public, with one or more States, which is incompatible with this Treaty. Each High Contracting Party further declares that no obligation exists, nor shall any obligation be entered into, between itself and any other State or States, which might cause military damage to the other Party.

*Article XI*

This Treaty is concluded for the duration of twenty years and will be automatically extended for each successive period of five years unless either High Contracting Party declares its desire to terminate it by giving notice to the other High Contracting Party twelve months prior to the expiration of the Treaty. The Treaty will be subject to ratification and will come into force on the date of the exchange of Instruments of Ratification which will take place in Moscow within one month of the signing of this Treaty.

*Article XII*

Any difference of interpretation of any Article or Articles of this Treaty which may arise between the High Contracting Parties will be settled bilaterally by peaceful means in a spirit of mutual respect and understanding.

[Shri Swaran Singh]

The said Plenipotentiaries have signed the present Treaty in Hindi, Russian and English, all texts being equally authentic and have affixed thereto their seals,

Done in New Delhi on the ninth day of August in the year one thousand nine hundred and seventy one.

On behalf of the Republic of India      On behalf of the Union of Soviet Socialist Republics.

(Sd.) Swaran Singh      (Sd.) A. A. Gromyko  
Minister of External Affairs      Minister of Foreign Affairs

श्री अटल बिहारी वाजपेयी (ग्वालियर): अध्यक्ष महोदय, यह क्या बात है कि मेरे खड़े होते ही आप मुझे हाथ से मना करने लगे? यह बड़े ताज्जुब की बात है। क्या इस सदन में मेम्बरों के साथ इस तरह का व्यवहार किया जायेगा? मुझे बगैर मुने आप ने कैसे जान लिया कि मैं क्या कहने जा रहा हूँ.....

MR. SPEAKER : आर्डर, आर्डर,  
No questions can be asked now.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, यह मैं जानता हूँ कि इस समय सवाल नहीं पूछे जाने चाहिए और न ही इस समय मैं सवाल पूछने के लिए खड़ा हुआ था। हम लोग तो जो ट्रीटी सम्बन्धी बयान रखा जा रहा है उसको पढ़ना चाहते हैं। बाकी हम यह जरूर चाहते हैं कि कल इस पर बहस करने का मौका दिया जाय।

SHRI SAMAR GUHA (Contai) : It is exactly what I also wanted to submit. This is one of the greatest things of importance since our Independence. We have never entered into such a treaty. (Interruption)

MR. SPEAKER : I am not going to allow this. Order, please.

SHRI SAMAR GUHA : My submission is this. This subject should be taken into consideration by the House. That is all I want to submit. This is of the highest importance. That is my submission ?

MR. SPEAKER : Will you please sit down ?

THE MINISTER OF PARLIAMENTARY AFFAIRS, AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : Sir, May I say that we are agreeable to a discussion on this treaty tomorrow.

अध्यक्ष महोदय : वाजपेयी जी, आप इतने गरम क्यों हो जाते हैं ?

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मुझे इस पर आपत्ति है। आप समझ सकते हैं कि अगर मैं खड़ा होता हूँ तो कोई बेतुकी बात कहने के लिये नहीं खड़ा होता हूँ। लेकिन बिना मेरी बात सुने हुए, हाथ का इशारा करके अगर आप मुझे बैठाना चाहें, तो यह तरीका ठीक नहीं है। आपको यह रवैया बदलना होगा।

अध्यक्ष महोदय : आप ऐसा मत कहिये कि आपको रवैया बदलना होगा। जब तक हाउस में आर्डर नहीं है तब तक मैं आपको कैसे सुन सकता हूँ ?

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, आप सुनिये तो। आपको सुनने का भी धैर्य नहीं है ?

अध्यक्ष महोदय : अब आप बैठ जाइये, लेकिन मैं आपसे यह जरूर अर्ज करूंगा कि जो बात शांति से हो सकती है...

श्री अटल बिहारी वाजपेयी : आप बोलने नहीं देते तो शांति से कैसे हो सकती है ?

MR. SPEAKER : I very much resent this.

आज कल आप मोर्चे मोर्चे से ज्यादा गरम हैं।

श्री अटल बिहारी वाजपेयी : यह जो ट्रीटी है उसकी कापी मेम्बरों को दे दी जाये जितनी जल्दी वह मिल सकती हो। अध्यक्ष महोदय, अगर मैंने गुस्से में कोई ऐसी बात कही है जो आपको नागवार लगी है, तो मैं आपसे माफी मांगना चाहता हूं, मगर खड़े होने के बाद ही आपने कैसे अन्दाजा लगा लिया कि मैं सवाल पूछना चाहता हूं ?

अध्यक्ष महोदय : हर एक से गलती हो सकती है। मुझ से भी हो सकती है और आप से भी हो सकती है।

श्री अटल बिहारी वाजपेयी : अगर कोई वक्तव्य यहां दिया जाय तो क्या उस पर चर्चा की मांग हम नहीं कर सकते ?

अध्यक्ष महोदय : मैं अपनी गलती मानता हूं। आपको नाराज नहीं करना चाहता हूं।

श्री अटल बिहारी वाजपेयी : मगर आप इस तरह से रोकेंगे नहीं यह तो मानिये।

अध्यक्ष महोदय : यह तो पता नहीं कि मैं क्या करूंगा।

12:51 hrs.

CONSTITUTION (TWENTY-SIXTH AMENDMENT) BILL\*

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF HOME AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI) : Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRIMATI INDIRA GANDHI : I introduce the Constitution (Twenty-Six Amendment) Bill.

SHRI PILOO MODY (Godhra) : The Bill is not introduced.

MR. SPEAKER : The Bill is introduced. The Prime Minister has already introduced the Bill. Be sure about it, Mr. Mody.

SHRI PILOO MODY : This is the first time that a Bill must have been introduced in the House.

SHRIMATI INDIRA GANDHI : It is the first time that this Bill has been introduced.

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