

मैंने यह जो पूछा था कि बोचरटाइन एंगलिस्ट डेन के कारण क्या है और यह क्यों दिया जाता है। मंत्री यहीदव इस का ठोस उत्तर नहीं दे सके। उन्होंने बताया

"The work in offices should be so organised as ordinarily to be capable of being done during the normal office hours."

Who will organise that work?

यह काम किस तरह धारणाद्वारा होता है? क्या उस को करने के लिये ज्यादा स्टाफ रखा गया है। ये कमीशन ने कहा है कि सेक्टर गवर्नमेंट के इस्तर 15 परसेंट प्रोवोरस्टाफ है।

SHRI S. M. BANERJEE (Kanpur): I rise on a point of order. The recommendations of the Pay Commission are under study by the Government and the Government employees are meeting a group of Ministers tomorrow at 12 o'clock and after that the decision will be announced. Mr. Daga is taking advantage of the most retrograde recommendations of the Pay Commission Report.

MR. DEPUTY-SPEAKER: What is the point of order?

SHRI S. M. BANERJEE: When we raise questions on the floor of the House, Finance Minister says that the Government is still considering the matter and he did not at all commit anything on behalf of the Government either this way or that way. My point of order is that this matter can be discussed after the decision on the report of the Pay Commission has been announced.

MR. DEPUTY-SPEAKER: I think we have to interrupt this business for a little while. There is an important business which has international repercussions. Mr. Daga will resume his speech after the

Foreign Minister has made his statement. . . . (Interruptions). There is no point of order in that. It is his point of view, not a point of order.

18 hr

STATEMENT RE. AGREEMENT BETWEEN GOVERNMENTS OF INDIA AND PAKISTAN SIGNED ON THE 28TH AUGUST, 1973

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH): As the House is aware a Delegation led by the Special Envoy of the Prime Minister of India, Shri P. N. Haksar, visited Rawalpindi and Islamabad and held discussions with the Pakistan Delegation led by Mr. Aziz Ahmad, Pakistan's Minister of State for Defence and Foreign Affairs, from 24th to 31st July, 1973. During the course of these talks questions relating to simultaneous repatriation of three categories of persons mentioned in the Joint Indo-Bangladesh Declaration of April 17, 1973, were discussed in full detail. The Pakistan side acknowledged the fact that the Joint Indo-Bangladesh Declaration, which had separated political considerations from the humanitarian issues, was a step forward and paved the way for an early resolution of these issues. Some progress was made in defining these issues and it was agreed between the two Delegations that a point had been reached where further consideration by both sides was necessary. In pursuance of this decision, the discussions were resumed at New Delhi from 18th August, 1973 and continued till the 28th August, 1973. These discussions took place with the full knowledge of and in consultation with the Bangladesh Government.

As a result of these talks, an agreement was signed yesterday, the 28th August, 1973, between the Governments of India and Pakistan. I lay on the Table of the House, a copy of this Agreement.

[Shri G. V. Singh]

The Agreement provides for the resolution of the humanitarian problems resulting from the conflict of 1971. The Agreement envisages the simultaneous repatriation of all Pakistani prisoners of war (except 195), the repatriation to Bangladesh of all Bangladeshis in Pakistan and initially a substantial number of Pakistanis now in Bangladesh to Pakistan. The time-schedule for the completion of repatriation of these three categories of persons will be worked out by India in consultation with Bangladesh and Pakistan as the case may be. It is further agreed that the Prime Minister of Bangladesh and Pakistan or their designated representatives will thereafter meet to decide what additional number of Pakistanis in Bangladesh may be permitted to return to Pakistan. Bangladesh has made it clear that it will participate in such a meeting only on the basis of sovereign equality.

The immediate implementation of the solution of these humanitarian problems is without prejudice to the respective positions of the parties concerned relating to the case of 195 prisoners of war. In the meantime these 195 prisoners of war shall remain in India and no trials shall take place during the entire period of repatriation. It is further agreed that Bangladesh, India and Pakistan in a tripartite meeting will arrive at a settlement of the question of these 195 prisoners of war.

In arriving at this Agreement all three countries, Bangladesh, India and Pakistan, made constructive contributions. It is our earnest hope that this Agreement shall be one more step towards the goal of establishing durable peace in the sub-continent.

AGREEMENT

The Special Representative of the Prime Minister of India, Shri P. N. Haksar and the Pakistan Minister of State for Defence and Foreign Affairs,

His Excellency Mr. Asif Ahmed, held talks in Rawalpindi from July 24 to July 31, 1973 and in New Delhi from August 13 to August 28, 1973. Shri P. N. Haksar was assisted by Foreign Secretary, Shri Kewal Singh, Secretary to the Prime Minister, Shri P. N. Dhar Joint Secretaries in the Ministry of External Affairs, Shri K. P. S. Menon, Shri A. S. Chib and Dr. S. P. Jagota, and Deputy Secretaries, Shri K. N. Bakshi and Shri Naresh Dayal. The Leader of the Pakistani Delegation was assisted by the Foreign Secretary, Mr. Agha Shahi, Director General in the Ministry of Foreign Affairs, Mr Abdul Sattar and Directors, Mr. Abdul Waheed and Mr. Khalid Saleem. These talks were held in the context of solving the humanitarian problems set out in the Joint Indo-Bangladesh Declaration of April 17, 1973.

2. During the course of the talks both at Rawalpindi and at New Delhi, which were marked by mutual understanding the delegations of India and Pakistan reviewed the progress so far made in the implementation of the Simla Agreement since they met last in New Delhi in August 1972. The Special Representatives reaffirmed the resolve of their respective Governments expressed in the Simla Agreement that "the two countries put an end to the conflict and confrontation that have hitherto marred their relations and work for the promotion of a friendly and harmonious relationship and the establishment of durable peace in the sub-continent." In this connection the Special Representatives were confident that the repatriation of prisoners of war and nationals of Bangladesh and Pakistan will generate an atmosphere of reconciliation and thus contribute to the building of a structure of durable peace in the sub-continent.

3. Desirous of solving the humanitarian problems resulting from the conflict of 1971 and thus enabling the

vast majority of human beings referred in the Joint Indo-Bangladesh Declaration to go to their respective countries, India and Pakistan have reached the following agreement:

- (i) The immediate implementation of the solution of these humanitarian problems is without prejudice to the respective positions of the parties concerned relating to the case of 195 prisoners of war referred to in clauses (vi) and (vii) of this paragraph;
- (ii) Subject to clause (1), repatriation of all Pakistani prisoners of war and civilian internees will commence with the utmost despatch as soon as logistic arrangements are completed and from a date to be settled by mutual agreement;
- (iii) Simultaneously, the repatriation of all Bengalees in Pakistan, and all Pakistanis in Bangladesh referred to in clause (v) below, to their respective countries will commence;
- (iv) In the matter of repatriation of all categories of persons the principle of simultaneity will be observed throughout as far as possible;
- (v) Without prejudice to the respective positions of Bangladesh and Pakistan on the question of non-Bengalees who are stated to have "opted for repatriation to Pakistan", the Government of Pakistan, guided by considerations of humanity agrees, initially, to receive a substantial number of such non-Bengalees from Bangladesh. It is further agreed

that the Prime Ministers of Bangladesh and Pakistan or their designated representatives will thereafter meet to decide what additional number of persons who may wish to migrate to Pakistan may be permitted to do so. Bangladesh has made it clear that it will participate in such a meeting only on the basis of sovereign equality;

- (vi) Bangladesh agrees that no trials of the 195 prisoners of war shall take place during the entire period of repatriation and that pending the settlement envisaged in clause (vii) below these prisoners of war shall remain in India;
- (vii) On completion of repatriation of Pakistani prisoners of war and civilian internees in India, Bangalees in Pakistan and Pakistanis in Bangladesh referred to in clause (v) above, or earlier if they so agree, Bangladesh, India and Pakistan will discuss and settle the question of 195 prisoners of war. Bangladesh has made it clear that it can participate in such a meeting only on the basis of sovereign equality.

The Special Representatives are confident that the completion of repatriation provided for in this Agreement would make a signal contribution to the promotion of reconciliation in the subcontinent and create an atmosphere favourable to a constructive outcome of the meeting of the three countries;

- (viii) The time schedule for the completion of repatriation of the Pakistani prisoners of war and civilian internees

and Pak. (31.)

from India, the Bengalees from Pakistan, and the Pakistanis referred to in clause (v) above from Bangladesh, will be worked out by India in consultation with Bangladesh and Pakistan, as the case may be. The Government of India will make the logistic arrangements for the Pakistani prisoners of war and civilian internees who are to be repatriated to Pakistan. The Government of Pakistan will make logistic arrangements within its territory upto agreed points of exit for the repatriation of Bangladesh nationals to Bangladesh. The Government of Bangladesh will make necessary arrangements for the transport of these persons from such agreed points of exit to Bangladesh. The Government of Bangladesh will make logistic arrangements within its territory up to agreed points of exit for the movement of the Pakistanis referred to in clause (v) above who will go to Pakistan. The Government of Pakistan will make necessary arrangements for the transport of these persons from such agreed points of exit to Pakistan. In making logistic arrangements the Governments concerned may seek the assistance of inter-national humanitarian organisations and others;

(ix) For the purpose of facilitating the repatriation provided for in this Agreement, the representatives of the Swiss Federal Government and any international humanitarian organisation entrusted with this task shall have unrestricted access at all times to Bengalees in Pakistan and to Pakistanis in Bangladesh referred to in clause (v) above. The Government of Bangladesh and the Government of Pakistan will provide all assistance and facilities to such representatives in this regard including facilities for adequate publicity for the benefit of the persons entitled to repatriation under this Agreement;

4. The Government of India and in accordance with this Agreement will be treated with humanity and consideration.

4. The Government of India and the Government of Pakistan have concurred in this Agreement. The Special Representative of the Prime Minister of India, having consulted the Government of Bangladesh, has also conveyed the concurrence of Bangladesh Government in this Agreement.

DONE in New Delhi on August 28, 1973 in three originals, all of which are equally authentic.

Sd/- (P. N. Haksar)

Sd/- (Atiz Ahmed)

Special Representative of the Prime
Minister of India.

Minister of State for Defence and
Foreign Affairs, Government of
Pakistan.

MR. DEPUTY-SPEAKER: Copies of the Agreement have been placed in the publications counter and Members may collect their copies from there.

SHRI SAMAR GUHA (Contal): Tomorrow or thereafter it should be discussed.

SHRI ATAL BHARI VAJPAYEE (Gwalior): We have given notice of a motion for discussion.

MR. DEPUTY-SPEAKER: That will be locked into.

12.05hrs.

HALF-AN-HOUR DISCUSSION—Contd.
OVERTIME ALLOWANCE PAID IN VARIOUS
MINISTRIES AND DEPARTMENTS OF CENTRAL GOVERNMENT—Contd.

श्री मूल चन्द्र डागा :

"The Government informed the National Commission on Labour in 1968 that there was a 10 to 20 per cent excess of staff engaged in routine duties like typing and despatch."

1968 में यह बताया कि प्रन्वह से बीस प्रतिशत ओवर स्टाफ भी काम कर रहा है।

"If the Ministry of Defence (for which full figures are not available), and the Railways (where the rate of growth is comparatively low) are omitted from consideration, then in all the other departments, during the four years from 1968-69 to 1971-72 the over-time expenditure went up from Rs. 9.78 crores to Rs. 12.04 crores, an increase of 73.2%."

SHRI S. M. BANERJEE: What is he quoting from?

SHRI M. C. DAGA: The Pay Commission Report.

1728 L.S.—14

SHRI S. M. BANERJEE: Sir, are you allowing the Pay Commission Report to be discussed in this House... (Interruptions).

MR. DEPUTY-SPEAKER: The Pay Commission Report is a public document accessible to any member. If any member wants to build up the case referring to that, how can I stop that?

SHRI S. M. BANERJEE: My point is that when we wanted a reply from the Finance Minister on the various recommendations; he said that Government have not applied their mind to this question. They are yet to take a decision. Shri Daga is trying to build his case from a report which is yet to be accepted by Government. He talks of Rs. 88.37 lakhs and Rs. 8 crores.

MR. DEPUTY-SPEAKER: There is no point of order. May be, Shri Daga is making a statement or building up a case in an over-convoluted manner. But I cannot help it.

श्री मूल चन्द्र डागा : मैं ने यह बतलाने की कोशिश की कि 73.2 प्रतिशत इन्कीव जो घ्राप के ओवर टाइम एलाउंस में हुआ क्या वह खपवा देने के बाद घ्राप उन लोगों से पूरा काम ले लेते हैं या नहीं लेते हैं? सबाल यह है कि घ्राप घ्राप के लोग काम करने में एफिशियेंट नहीं हैं या काम करना नहीं चाहते....

श्री एच० एच० बैनर्जी : कौन नहीं करता चाहते ?

श्री मूल चन्द्र डागा : देखिये, इस तरह से सस्ती बाह बाही लेने से कोई फायदा नहीं है। ... (अव्यवस्था)... यह बिलकुल बे-बुनियाद जो चाहते हैं कहते हैं यह चीप पापुलीटी के पीछे पड वालों का कोई कहना नहीं चलना। जहाँ करोड़ों खपवा बेत का प्रा रहा है वहाँ हम चाहते हैं कि वह काम करें