

[MR. Speaker]

Now, the question is:

"That the Bill further to amend the Indian Penal Code, the Code of Criminal Procedure, 1898 and the Unlawful Activities (Prevention) Act, 1967, be taken into consideration."

The motion was adopted.

MR. SPEAKER : We will now pass on to clauses. We take up clause-by-clause consideration.

PROF. S. L. SAKSENA (Maharajganj) : I would like to support the contention made by Shri Indrajit Gupta. I stand for the Bill. We will support it. But what I submit is, the Members here who are absent should be given an opportunity to move their amendments and participate. Because, otherwise, they should not have an opportunity to say that they were not given opportunity to put in amendments... It can be held over till tomorrow.

MR. SPEAKER: They had given it; they knew it. They knew that that would come up today. If they had stayed on, they could have moved. The Government could have accepted also, but now there is none to move them. . . .

We go to Clause 2. Mr. Jagannathrao Joshi gave notice of an amendment but he has not moved the amendment. The second one is also not moved.

Clause 2 (*Amendment of Act 45 of 1860*)

SHRI RAM NIWAS MIRDHA: I have an amendment. This is for Clause 2. This is a very small amendment. We want to put in the same usages.

Amendment made :

Page 2, line 31,—

for "religious ceremony".

substitute—"religious ceremonies"
(Shri Ram Niwas Mirdha).

MR. SPEAKER: The question is:

"That Clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 (*Amendment of Act 5 of 1898*)

Amendment made :

Page 2, line 44,—

for "clause (b)"

substitute—"sub-clause (b) of clause (i)".

(Shri Ram Niwas Mirdha).

MR. SPEAKER: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI RAM NIWAS MIRDHA : I be to move:

"That the Bill, as amended, be passed."

MR. SPEAKER: The question is:

"That the Bill, as amended, be passed."

2005 hrs. *The motion was adopted.*

HALF-AN-HOUR DISCUSSION

PAKISTAN'S PREPAREDNESS FOR ANOTHER WAR WITH INDIA

SHRI SAMAR GUHA (Contai): I am thankful to you for giving me an opportunity to raise this half-an-hour discussion. I consider that now we have a unique opportunity to change the political complexion of the Indian sub-continent from Peshawar to Dacca. Pakistan must be made to recognise Bangla Desh before the proposed summit meeting with Mr. Bhutto, so that Bangabandhu Sheikh Mujibur Rehman may take his rightful part in it. From all considerations, it will be a costly mistake to have the summit talk without Bangabandhu.

India and Bangla Desh have jointly signed the cease-fire document with Pakistan. As such, it is morally and legally imperative that the summit talks with Pakistan must be held jointly by India and Bangla Desh. Indo-Bangla Desh friendship is the rockbottom foundation for securing permanent peace in the sub-continent. In dealing with Pakistan recognition of this reality should be India's guiding principle. India should

make it absolutely clear to Mr. Bhutto that if he agrees to a long-term peace and friendship treaty with India, only then India will agree to discuss the issues of the return of prisoners of war and the vacation of Pakistan territory under Indian occupation.

2007 hrs.

[SHRI R. D. BHANDARE in the Chair]

During the summit talk and also before it, it should be made clear to the people of Pakistan that the defeat of the military junta of Pakistan does not necessarily mean the defeat of the people of Pakistan, because Mr. Bhutto is trying to create a row again and an attitude of hatred and hostility towards India. As a measure of our goodwill and as a measure of our sincerity, and as a token of our offer of peace and friendship to Pakistan, I think that it is desirable that about 6,000 women and children of Pakistan in our hands and also about 4,951 civilians in our custody should, as early as possible and surely before summit talks take place, as a measure of our goodwill and as a gesture of peace and friendship with Pakistan, these 11,500 odd persons should be released and should be allowed to go back to Pakistan as early as possible.

I have also heard the Government saying that already the prisoners of war are being treated prisoners with human consideration, but I feel that they should be made to understand, and we should try to our best to create a feeling in the minds of the prisoners of war of Pakistan that they are not our enemies, but it was the war machine and it was the military junta of Pakistan which unleashed a war, and they are really our brothers, because we have a common heritage of four thousand years of common civilisation.

From all accounts, it appears that the military machine of Pakistan remains more or less intact even after the war, particularly the armoured division. It appears that test especially from the West Asian countries and also from the the African countries Pakistan has already made up the loss of 141 tanks and also 97 planes (the figures as given by our Government). It has also appeared in the foreign press, and it has been admitted also in the House that China has delivered to Pakistan tanks and planes and other war equipment. Therefore, we find that Mr. Bhutto is coming to India to have

summit talks with not only the war machine of Pakistan maintaining its level at what it was before Pakistan unleashed the pre-emptive strike against India...

SHRI D. K. PANDA (Bhanjanagar): There is no quorum in the House.

SHRI SAMAR GUHA: Why does my hon. friend do so? Why does he raise it now?

MR. CHAIRMAN: After 6.30 p.m. there is no question of quorum. Shri Samar Guha may continue and conclude early.

SHRI SAMAR GUHA: Not only that, but we have found that Pakistan is making frantic efforts to augment its war potential and that is the reason why Mr. Bhutto has gone to China, and as I have already said, our Government have taken notice of Mr. Bhutto's trip first to China, and his whole dependence being on China. He has also now to reactivate the CENTO group. He is now trying to reactivate this and trying to develop some kind of a pattern of defence allowance with Iran and also Turkey. He is also trying to develop the regional Development Organisation including CENTO. This is a new phenomenon. I want to draw the attention of our Government to the fact that Iran is becoming a great naval power and also an air power.

I would draw Government's attention to the fact that even before the war there were joint exercises between the Iranian and Pakistan Air Force. This is something very extraordinary. If really Pakistan wanted to live in peace with India, it followed naturally that she should not try to increase her war potential and not try to find allies in West Asia, nor create an atmosphere of hatred and hostility towards India.

It has also been admitted here that in occupied Kashmir nearly 2 lakhs of guerillas were being raised. For what purpose? Now here is an opportunity offered to India to secure a condition of permanent peace and friendship with Pakistan for creating stability and security in the sub-continent. But only one condition that India makes it very clear to Pakistan that there is no question of repatriation of the prisoners of war nor vacation of territory under occupation of the Indian army unless and until

[Shri Samar Guha]

the principal issues of recognition of Bangla Desh by Pakistan and commitment to permanent peace and friendship with India are agreed to and a long-term treaty entered into based on some kind of a defence balance between Pakistan, India and Bangladesh. This is with a view to ensure real peace, stability and security in the sub-continent. May be the military *junta* now in power in Pakistan may disagree. But the situation is not in their favour. With the fall of Lin Piao in China and the US's hands too much drenched with Vietnamese blood, the political, social, economic and international relations are not so much in favour of the Bhutto-Tika military axis that has developed in Pakistan. It is in this context that I raise this issue so that we may make an effort to secure permanent peace and stability in the sub-continent.

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) :

I congratulate Shri Samar Guha on the noble sentiments he has expressed for a durable peace in the sub-continent. This has been the stand of the Government of India all through. The hon. member should not forget that after the liberation of Bangladesh where the blood of Indian and Bangla Desh youths mingled to achieve that objective and the surrender of nearly 100,000 of Pakistan hordes in Bangladesh, the Prime Minister of India declared a unilateral cease fire. It was a clear indication and proof to the world at large which was reiterated times without number that the allegation that India wanted to disintegrate and annihilate Pakistan was not correct. It was not our objective. If at any time a war was fought for a noble cause, for justice, for establishing human norms, it was this war in Bangla Desh.

Again the Prime Minister made it quite clear that the offer for bilateral talks was unconditional. Therefore, we would not like to put any condition at this stage. Of course, only when we have bilateral talks leading to a settlement can we have durable peace in the sub-continent.

I do make a distinction between the people of Pakistan and the military *junta* there. On this sub-continent today, we have three countries; all these coun-

tries have come out of India : Bangladesh, India and Pakistan. Though administratively these are three different countries, sovereign and independent, the social conditions in all these three countries are similar. We have the traditional society in all these three countries and we have grinding poverty in all the three countries. And it would be really an achievement if we can extricate ourselves from the traditional society and move to a modern and affluent society where we can assure our people a reasonable standard of life. For the achievement of this novel objective, it is necessary that there is peace in the, sub-continent; peace in the sub-continent between the three countries; and peace in the sub-continent against any foreign intervention in the sub-continent.

I am aware that Pakistan has been procuring on purchase and as gift, military hardware from several sources. I am also aware of the innumerable violations of the cease-fire and interference with the actual line of control. I am aware of the cease-fire violations in Jammu and Kashmir. At times, these violations do cause some anxiety and some concern, but in spite of this, India will make every possible endeavour to have a bilateral talk with Pakistan in order that durable peace may be achieved on the sub-continent.

My friends should not forget that it was only a few days back that for the first time a spokesman of the President, President Bhutto, has admitted that this time the war between India and Pakistan has been a decisive war. It means that he admitted that the defeat of Pakistan at the hands of India has this time been decisive. We do not want wars, we want peace. But President Bhutto, let us hope, will not do that folly which President Yahya Khan committed. If he does that, certainly the prestige and security of the country is too sacred for us to tolerate and violation of that. That is all I have to say. Our approach for bilateral negotiation is unconditional for the establishment of peace in the sub-continent.

MR. CHAIRMAN : The House now stands adjourned *sine die*.

2018 hrs.

The Lok Sabha then adjourned sine die.