

have established a solid foundation for mutual cooperation. I am sure the House will also view it as a great essay in harmony.

MR. SPEAKER: Motion moved:

"That this House do consider the statement made by the Prime Minister in the House on the 24th February, 1975 in relation to the State of Jammu and Kashmir:

SHRI DINESH CHANDRA GOSWAMI (Gauhati): I beg to move:

That for the original motion, the following be substituted, namely:—

"This House, having considered the Statement made by the Prime Minister in the House on the 24th February, 1975 in relation to the State of Jammu and Kashmir, approves of it." (1)

SHRI ATAL BIHARI VAJPAYEE (Gwalior): I beg to move:

That for the original motion, the following be substituted, namely:—

"This House, having considered the Statement made by the Prime Minister in the House on the 24th February, 1975 in relation to the State of Jammu and Kashmir, resolves that the process of integration of Jammu and Kashmir with the rest of India going on during last more than two decades be carried further and the State be brought at par with the other States of India." (2).

SHRI SURENDRA MOHANTY (Kendrapura): I beg to move:

That for the original motion, the following be substituted, namely:—

"This House, having considered the Statement made by the Prime Minister in the House on the 24th February, 1975 in relation to the State of Jammu and Kashmir, resolves that the other States of

the Indian Union should be accorded the same amount of autonomy granted to the State of Jammu and Kashmir so that the State Governments in the matters of the Concurrent List such as social welfare measures, cultural matters, social security, procedural laws and the like may get larger freedom of action so that there should be uniformity in Centre-State relationship." (4)

13.30 hrs.

The Lok Sabha adjourned for Lunch till thirty minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at thirty-three minutes past fourteen of the Clock

[MR. DEPUTY-SPEAKER in the Chair]

SHRI S. M BANERJEE (Kanpur): Sir with your permission, I have to make a submission As you are aware, thousands of teachers in the higher secondary schools and colleges in Delhi are on stay-in strike. They have also threatened to boycott the forthcoming higher secondary examinations, which means that 80,000 students, who are preparing for this examination are going to find themselves in a chaotic situation at a time when the examination is fast approaching. So, Sir, I would request you, and through you the Education Minister, to intervene effectively and immediately so that the situation may be avoided.

14.35 hrs.

MOTION RE. PRIME MINISTER'S STATEMENT ON JAMMU AND KASHMIR—Contd.

SHRI SAMAR MUKHERJEE (Howrah): Mr Deputy Speaker, Sir, our Party has already welcomed the accord arrived at between the leaders

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of the Kashmiri people and the Government of India. It is good that, since the emergence of Bangladesh and the failure of all the manoeuvres and machinations of American imperialism in South East Asia, to defeat all the reactionary anti-Indian policies of the Pakistan Government, some new thinking started on both sides. In 1972, after the emergence of Bangladesh, the Leaders of the Plebiscite Front came out with the statement that they are prepared to come to some understanding through negotiations and to re-forge the relations between the people of Kashmir and the people of the rest of India. Government of India also responded to it and the negotiations were going on since that time. But, from the outcome of the negotiations and the period it took, it is quite clear that there was some hard bargaining—because it took nearly three years to come to this accepted accord or settlement.

I will not go into the details of the actual agreement or settlement but will deal with the political part of it. This is a political understanding arrived at between the leadership of the Kashmiri people and the Government of India. But, what was the bone of contention? The question was that of autonomy. According to Sheikh Abdullah and his associates, they wanted that Kashmir should enjoy a special status as accepted under the Constitution of India under art. 370. So, their point was that conditions should revert to the position of pre-1953. And what was the position in pre-1953? The position was that the State of Kashmir enjoyed all the residuary powers accepting the powers of Defence, Communications and Foreign Affairs. That is the character of a true federation or a confederation. The position in pre-1953 was that Kashmir had a separate Constitution, there was a separate flag, the Kashmir Prime Minister was called the Prime Minister and the

Governor was a Governor elected by the State Assembly and in all internal matters they had the fullest autonomy.

I am not going into the details about the reasons as to why this previous relationship was distorted because, when both sides have come to some political understanding, we want that relationship should further strengthen and become more closer and that the peoples of both Kashmir and India should come more and more united through common movements and common aims for building up the future of India including Kashmir.

One thing is quite clear that the forces of secularism have triumphed over the forces of colonialism and disruption. It has passed through long trials. In the past Kashmir was attacked by Pakistan. There was aggression and infiltrators were allowed to penetrate to create trouble inside Kashmir or raise communal fanaticism.

It has been admitted by the Government of India now through various statements that the people of Kashmir did not surrender to communalism and that they stood firmly against communalism with their ideology of secularism. So, this accord is a victory of secularism. Still, there are forces of communalism both inside Kashmir and Jammu. Now, they are on the defensive. It is true they are trying to create disruptions. I have no hesitation in mentioning here the stand taken by Jana Sangh as well as the stand taken by the Action Committee of Maulana Farookhi. Their stands are not at all helpful for the integration and closer relations between the two peoples. These are disruptive. This will give handle to Bhutto and others to create further disruption inside Kashmir.

Secondly, it has also been quite clearly established beyond doubt that the policy of repression has been completely defeated. The Government of India must have that much honesty

to accept that they pursued absolutely a wrong policy in relation to the movement of Kashmir people by putting Sheikh Abdullah and his associates inside jail and by resorting to suppression there. It has been established that the demand of Kashmir people for autonomy is a genuine demand of the masses. After 22 years' effort by the Government of India to isolate Sheikh Abdullah and the Plebiscite Front leaders, they have completely failed. The reality has dawned on the Government of India. That is why they have changed the tactics and have come to some understanding. That is a good thing. We support this stand. But they must admit failure of their policy of repression. It has been proved beyond doubt that by resorting to repression, the people's genuine urge and aspirations cannot be suppressed.

The question is, whether the demand for autonomy is justified or not. Here, our Party holds a clear and positive view that to call the demand a disruptive demand with a view to weaken the Centre is absolutely a wrong approach. The demand for autonomy on the part of various linguistic nationalities is a just and democratic demand. The population of India is composed of not one homogenous unilingual nation. But the population of India is composed of various multi-lingual nationalities. This very concept is absent in the mind of the leadership. That is why the contradiction comes. Whenever any demand is raised from any State that there should be more powers in the hands of the State, that the State should be given more autonomy, it should not be immediately taken as a disruptive demand.

In India, the question of unity and national integration must be thought of keeping in view the diversity of various linguistic people's social and cultural life. So, here the inherent unity is based on the acceptance of diversities. That is why, in India, the

Centre will be firmly strong if the Centre accepts the democratic urges of various linguistic nationalities. That is why, we, from our party, have been repeatedly supporting the demand of this autonomy, for the formation of new states for various linguistic nationalities. Now, you have accepted the States like Nagaland, Mizoram and Meghalaya, etc. But the demands for these new States have grown out of their genuine desire. They have the right to administer their own affairs according to their own choice. This is a first democratic demand, and in that respect, the demand of the Kashmiri people is just and democratic. Kashmir has some history also, and it is a point to be kept in mind, that article 370 was incorporated in the Constitution in the Constituent Assembly with the tacit understanding of the leadership of the National Conference and it was unanimously accepted. This separate special Status for Kashmir, which was accepted in the Constitution, was a part and parcel of the Constitution of India. That is why the genuine urge of the Kashmir people to go back to that position must be considered sympathetically. Here is a point regarding the agreement, the statement for which has been placed before this House itself. It states that the agreed conclusions have been formulated within the framework of the Constitution of India. I am reading from the text of PM's statement on J and K. It says "A proposal made by Mr Mirza Afzal Beg that the jurisdiction of the Supreme Court in relation to the State should be curtailed." This was not accepted, but a slight concession had been given under Section 132(2). Then the question was raised that the Government of India had not accepted the question of abrogation of 356 and the right to the imposition of President's rule. This is a very vital question, and in the Prime Minister's statement, it has been accepted that still both Sheikh Sahib and the leaders of the plebiscite front hold very strong views regard-

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mg this. If the people have doubts over the Government of India regarding the imposition of President's rule which was not extended in the case of Kashmir before 1963; subsequently, it had been extended then a vital aspect of the autonomy is lost. People have got some experience how this Article 356 was been misused to topple the Governments formed by various Opposition Parties in the country—elected Governments toppled. It is our experience that the Governor acted as the tool of the Central Government. That is why there is a genuine apprehension in their minds that the autonomy will not be a real one, if these exceptional powers are maintained in the hands of the Centre. There is no guarantee that it will not be used or misused against the elected representatives of the State of Kashmir. That is why they have got that strong feeling in their minds, and my point is that the Government of India must keep that in mind. Simply formal agreement and understanding will not satisfy the people of Kashmir. After all, Sheikh Abdullah and the leaders have to carry the people along with them. That is a very important and vital factor that should be kept in mind.

The second point is about the scope of the Election Commission. We know to what role the Election Commission has now been reduced. The Election Commission has now become a tool in the hands of the ruling party. That is the experience everywhere. We have the recent experience in Trivandrum. While the by-election date had been announced, all of a sudden a circular was issued saying that there would be no election. The election was postponed for an indefinite period without giving any explanation. What does it mean? It is because in Kerala the General Elections are coming in the month of September, and the Trivandrum by-election result will influence the General Election. This is just to suit the interests of the ruling Party.

After issuing the declaration that there would be election, after the date had also been announced, all of a sudden it was stopped. This is how the Election Commission is being used as the tool of the Central Government. Therefore, the fears, the apprehensions and the doubts of the people of Kashmir are genuine that this Election Commission which will be entrusted with the work of conducting elections in Kashmir is a tool in the hands of the Central Government. Then where is the question of autonomy? It will remain simply on paper. And that will estrange the relations which you are going to establish by this Accord.

Similarly, on some other points also, they have expressed very strong resentment. Despite this, they have accepted this understanding and agreement as a political understanding. The Prime Minister also has explained here that that is more important. I am also emphasizing that. But keeping in view the tendency of the Central Government which is more and more going towards totalitarianism and erosion of Parliamentary democracy, will it not influence the judgment of the Government of India in relation to the people of Kashmir? When totalitarianism raises its head, it becomes all-pervasive. The general tendency is to curb even the elementary rights of the States and to use the entire State machinery to keep the ruling Party in power. There lies the real problem. But we will have to pass through all these stages, because only the Agreement has been arrived at after three years' long negotiations.

Shri Sheikh Abdullah has expressed his desire, as a reason behind accepting this Agreement, that he wants to build Kashmir in a new way, and in the National Conference, before 1953, they declared that they would build Kashmir as a new Kashmir. He has said that he wants to bring about changes in the economic conditions of the people who are now suffering under poverty, exploitation, corrup-

tion, lack of employment etc., which we see outside Kashmir in the rest of India. So, if you really want to bring about changes in the economic and social life of the people, you will have to attack the vested interests, you will have to provide food for the people, you will have to attack the landlords. But there lies the main obstacle on the part of the Central Government because their very policy is to maintain feudalism in agriculture. Till now, after more than 28 years of Central rule by the Congress Party, even the land reforms which the State Legislatures have passed have not been implemented, and the role of the hoarders is very dominant in the villages. Some progressive agricultural legislations have not been given assent to by the President. This shows the class character of the Central Government. Here lies another round of difficulties which the Kashmir people will have to face, and they will have to contend with the Government at the Centre. That is why you are retaining the power in regard to Fundamental Rights in your Constitution. You have not allowed the State Constitution to incorporate the Fundamental Rights. And the Fundamental Right given in the Indian Constitution is the right for the landlords, for the capitalists and for the vested interests. No land can be taken over, and landlordism cannot be abolished, without sufficient compensation. So, you have provided for all the compensations for the capitalists and the landlords; but not for the elementary needs of food, jobs and living conditions of the people. There is no guarantee in the Constitution. That is why if radical land reforms are proposed in Kashmir, we have the fear that Central Government will come as an obstacle. I am expressing these fears. We will keep a watch on the developments and we hope that the people of Kashmir will join the fight, with the people of India, against all these vested interests and exploitation; and that in building a new Kashmir, the democratic people of India will stand by their side.

With these expectations, I support this agreement.

SHRI DINESH CHANDHRA GOSWAMI (Gauhati): Mr. Deputy Speaker, Sir, from the comments appearing in various platforms of press and public the last few days and the trend of discussions here, it has become apparent that but for a solitary discordant note, this understandings has received widespread support from all sections of the people of this country. I find that in some quarters an attempt has been made to interpret this agreement in terms of gains or losses; but I feel that such an interpretation is completely untenable. This is not a treaty or an agreement between two belligerent nations so that one may interpret it in terms of gains or losses. It is purely a domestic understanding, which has been brought about with the sole objective of greater participation of all sections of the people of Jammu and Kashmir in the national mainstream so that they may make their effective contribution for the prosperity of our country. Such an understanding has to be viewed from two standpoints: one, whether this agreement is going to be beneficial to the people of Jammu and Kashmir in particular, and to the rest of India in general; and secondly, whether any compromise has been made, while arriving at this agreement, with the basic commitments of this country, like those of democracy, secularism and socialism. The entire approach to this agreement should be viewed from these standpoints, if it is beneficial to the people of Jammu and Kashmir. Sir obviously it should be welcomed, and if no violation or no compromise has been made with the basic commitments, I have no doubt that the entire House will approve of it. Before I approach this agreement from these basic standpoints, I want to keep before the House certain basic facts as well; and the facts are: first that in any system of government, no sizable section of the government, hesitable section of the

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 community should remain alienated from the rest; otherwise, that isolation will mean a loss to themselves and to the rest. The second assumption is that the constitutional Government is for the welfare of the people; and as such, any process of reconciliation between sections of any people or with a section of people cannot be wrong either from the constitutional, political or from the ethical point of view. And the third assumption is that in a democracy, the spirit of give-and-take is an indispensable part of political life, more so in a country like India where assimilation and conciliation of different viewpoints have been the distinguishing features of our civilization and history. Keeping these basic facts in the forefront, let us examine this understanding. I do not think it necessary to go back to the history of all these years the post-independence years of Kashmir; but suffice it to say that in the early part of that period, Sheikh Saheb played a very notable role in the accession of Jammu and Kashmir to India and also in guiding the State in the path of progress. His role has been adequately referred to by the Prime Minister in her statement itself. It is, to a great extent, his secular outlook and commitment to the national objectives and ideals that frustrated the efforts of Pakistan to woo the support of certain sections of the community, on the basis of sentimental or religious appeal. We also know how much the State has suffered due to his non-effective participation in the national mainstream. And I have no hesitation in saying that even his worst critics will admit that his non-association made the State and the country poorer. It cannot also be denied that this aspect of non-association, non-association of Sheikh Mohd. Abdullah in the mainstream of the political life of Kashmir was taken advantage of by Maulana Farooq and his handful of followers, to create an anti-national faction. The Sheikh's re-entry into the politics of the State on an effective basis will undoubtedly hit hard those persons who

are trying to create an anti-national situation in the State of Jammu and Kashmir itself and it is, therefore, no wonder that we hear the agony of Mr. Bhutto and his call for a hartal in Kashmir. I feel that the Sheikh Saheb will play a very important role not alone in Jammu and Kashmir, but in the national life also, in stabilising and strengthening the national life in the role of a mentor leader of the minority community, a role which is eminently suited to his wide secular outlook. Therefore, probably, we hear to-day from the Jana Sangh of very adverse reaction over his re-entry into the political life. It is probably the greatest irony of fate to-day and I repeat it that it is probably the greatest irony of fate that Mr. Bhutto and Shri Bajpayee, who until now had nothing in common except that their surname started with the initial 'B', have found a common platform for a hartal call. Reports also have appeared that in the recent unfortunate incidents in Kashmir Jana Sangh played a certain part. It shows the kind of patriotism to which this Party is wedded to.

15 hrs.

When we view the understanding in the above light coupled with the fact that the Sheikh Saheb has reaffirmed and reiterated that the accession of the State of Jammu and Kashmir is final and irrevocable and further coupled with the fact that even the people of the Plebiscite Front have admitted to-day that plebiscite has become irrelevant, I think one conclusion only is possible that this agreement should get our whole-hearted support.

Let us also at this stage have a look at the criticisms that have been levelled against this agreement. One criticism is that Article 370 has been made permanent by this agreement. Secondly, Supreme Courts' jurisdiction under Article 132 has been taken away. Thirdly, more autonomy has been granted to the State of Jammu and Kashmir and there has been a second line of agreement. Why not grant the same kind of autonomy to other States also? Then there are also

some discordant notes about the nomenclature of Wazir-e-Azam.

Coming to the first criticism, I feel that the Jana Sangh has tried to make much out of it without any substance. Looking to the debate of the Constituent Assembly, we find that the framers of the Constitution thought that such a provision was desirable because the State was faced with certain unique features to which I will make a reference later in my speech. The framers decided that as regards the application of constitutional provisions and powers of the Parliament to extend the laws framed by it, certain safeguards should be provided by way of concurrence by or in consultation with the State Government under Article 370. The framers also made the further provision in the Constitution of Article 370 or Article 306A as it then stood, or its retention in the Constitution or if it should be retained, whether it should be retained with certain indications or exemptions, the initiative should come from the Constituent Assembly of Jammu and Kashmir. This is clear from the contents of Article 370, which has provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) is necessary before the President issues a notification making any change in the article. The moment the Constituent Assembly of Jammu & Kashmir accepted the present Article 370 and the corresponding Article 306A as it then was with only one modification it became a permanent feature of the Constitution in the sense that it has become a regular feature of the Constitution. The word 'permanent' does not mean that it is irrevocable because such type of permanency we have given a good-by while we did not accept the judgment of the Golak Nath case. While framing the constitution this was treated as a transitory provision because, at the time of the adoption of our Constitution, the framers of the Constitution left it to the Constituent Assembly of Jammu & Kashmir to decide whether this provision will

remain in the Constitution or not and this very position has to a great extent been confirmed by the latest judicial pronouncement of the Supreme Court in AIR Supreme Court 1970, 1118—I will not go into the details of the judgment because time will not permit me to do so. Therefore, Sir, it is my respectful submission that the argument advanced by Jan Sangh that by this agreement Article 370 has been made permanent is absolutely misleading, because this agreement has only reiterated the existing position which was confirmed by the pronouncement of the Supreme Court long before this agreement came into being i.e. as early as 1970. Also from the political angle, a view advanced 25 years ago that Article 370 had come in the way of emotional integration of Jammu & Kashmir with the rest of India has proved to be false by the lapse of time. Up till now we have found that Article 370 has done no damage so far as relationship of Jammu & Kashmir with the rest of India is concerned. Rather, this Article has acted as a bridge between Jammu & Kashmir and the rest of India because it is through this bridge that the Acts passed by Parliament have passed to Jammu and Kashmir. Therefore, I feel, the argument advanced to make capital out of Article 370 is meaningless.

Now I come to the second point as to why more autonomy has been granted. Obviously, we must keep note of the fact that this State has certain unique or special conditions existing in the State. This was taken note of while the Constituent Assembly formed our own Constitution. The special conditions are:

1. It is the only State which has a Constitution of its own.
2. Substantial portions of this State are in the occupation of more than one hostile nation.
3. U.N. forces are still roaming about in the State.

Because of the prevalence of these special conditions, Jammu & Kashmir is treated in a certain way in the Con-

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stitution while framing laws for that State. I do not know why one should raise objections to it.

It is not that Jammu & Kashmir has been treated specially like this but other States too have been treated in different ways according to the special conditions of the State. Take for instance, Article 371 which deals with Nagaland making special provisions for the State of Nagaland. Under the provision Nagaland is treated separately in matter of transfer of land or its resources. You yourself know that in your own State, a certain section of the people are not to pay income tax. Should we argue that because people of Meghalaya or Nagaland are not to pay income-tax, make the same provision throughout the whole country. I feel that in a big federal country like ours, it is not possible nor desirable to have uniformity of law throughout the country. Laws should take note of special conditions prevailing in different States. This has been done while framing the Constitution and even the subsequent amendments have taken note of this. Therefore, the question has been put as to why greater autonomy has been granted is misleading and equally the argument which has been advanced that that such autonomy should be granted to other States is equally fallacious, because you know that the conditions prevailing in Jammu & Kashmir do not prevail in the rest of the country. I do not feel that these two objections have any sound basis.

Arguments regarding Article 132 has no force in view of other Articles including—Article 136 and Article 32. Thus, if we look to the entire agreement from the positive point of view and also the criticisms that have been levelled against this agreement, one and only one conclusion is possible—that this agreement which is for the benefit of the entire Jammu & Kashmir and also for the rest of India deserves wholehearted support.

Before concluding, I will submit that this understanding has once more confirmed that our Prime Minister is not merely a politician but a statesman. You may well ask what is the difference between a politician and a statesman. I will say a politician looks to the next election but a statesman looks to the future of the country—25 or 30 years ahead. It is only her determination and courage that enables such a sensitive matter to be taken in hand and a favourable conclusion arrived at. Congratulations are also due in unbounded measure to Sheikh Abdullah for acting with such foresight and mutual trust not permitting the experiences of the past few years to cloud the issues. I feel we should also make special mention of Mr. Parthasarathy and Mr. Afzal Beg. But for their immense patience we probably would not have any occasion to debate this issue today. I pay tribute to Mr. Mir Qasim and other legislators who have shown a remarkable spirit of sacrifice rarely seen in a politician today. I hope and I have no doubt in saying that this agreement will pave the way for a better Kashmir, this will pave way also for permanent solution of the problem of Kashmir. Before concluding I wish to draw the attention of the House to the last para of Sheikh Saheb's letter to Prime Minister. It says:

'The country is passing through a critical period and it is all the more necessary for all of us who cherish the ideals of democracy, secularism and socialism to strengthen your hands as the leader of the nation and it is in this spirit that I am offering my whole-hearted cooperation.'

I hope that those who really believe in the ideals of democracy, secularism and socialism and all those who swear by it will obviously take note of this spirit which has been shown by Sheikh Abdullah. With these observations, I hope the House will accept the Substitute Motion which I have submitted and approve the statement made by



Prime Minister regarding Jammu and Kashmir on 24th February, 1975. Thank you.

SHRI H. N. MUKERJEE (Calcutta North-East): Mr. Deputy-Speaker, Sir, on behalf of my party, the Communist Party of India, I welcome the Prime Minister's Statement and the new agreement on Kashmir.

I hope that this will be a blow to the conspiracies of imperialism and other hostile groups against our Sub-continent. This opens up a new chapter of progress for the people of Jammu and Kashmir and also the rest of India.

It is a happy thing that the issue had been resolved after a fairly long endeavour on the basis of secular and democratic principles. And I am sure the House will not grudge to our Prime Minister and also Sheikh Abdullah genuine congratulations for their achievement.

Sir, the fundamental framework of the agreement is to my mind, the reaffirmation by Sheikh Abdullah of the finality of the accession of Jammu and Kashmir State to India, and the re-iteration by the Prime Minister (without any equivocation) that Jammu and Kashmir enjoys a special status by virtue of Art. 370 which will not be eroded. Undisputed leader of Jammu and Kashmir as Sheikh Abdullah is,—he has reaffirmed the fact of accession after long but mutually understanding dialogue with the Government of India. For reasons—good, bad or indifferent—a somewhat rigid stand was taken for years by both sides and since the dark days of August, 1953, many things have happened which we would like to forget. Sheikh Abdullah at any rate has refused to be permanently soured by long years of detention and he has taken the genuinely statesman like view which was expected of him. And, the Prime Minister—I don't mind repeating—has shown imaginative understanding by reassuring Kashmir of its special status.

A Muslim-majority State, further even to the north of India than Tibet is,—which is in the mainstream of our national life and culture,—out of its own free-will, acceded to the Union and in fact and in law this matter is now without question. This is a tremendous thing and we are happy that this agreement has come about.

Sir, I cannot help recalling a Debate in this House some 23 years ago.

I see to my right my good friend, Shri Shyamnandan Mishra who spoke on that occasion and my friend Com. A. K. Gopalan also spoke. I had also an opportunity in participating in that debate. It was on some date in August 1952. Jawaharlal Nehru had placed the agreement before Parliament and we ratified it. I remember very distinctly how Mr. Mishra had given a fine reply to the late Shri Shyama Prasad Mukerjee who as you know, was a highly distinguished Member, but on Kashmir and related issues, he took a certain communal and chauvinistic attitude. I hope, when Shri Mishra speaks today—I know that he would say many things—will apply the same attitude to the hon. Member sitting on his right.

I looked up the record to refresh my memory. On that occasion, Jawaharlal Nehru had said:

"In law and in fact, accession of Kashmir is complete. We had agreed to some slightly greater measure of internal autonomy and in the full freedom of friendly discussion, we had arrived at certain agreements."

He had also said that Kashmir and the Sheikh Abdullah administration had done a good job of work. He said in the course of his speech:

"I look with some envy on the speed and celerity of land reforms already implemented".

It was rather go-ahead compared to the India of 1952. He had referred to the matter of no land acquisition by

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outsiders, a genuine step in the interest of the people. He had said:

"I hope, this great Republic of India is a free, voluntary, and affectionate union of the States of India."

Repeatedly, he reiterated that Jammu and Kashmir in most difficult circumstances had shown in action their friendship and their intimate links of comradeship with this country.

Sir, it is, therefore, rather melancholy to remember that the agreement which we ratified in August, 1952, had led to certain communal and chauvinistic elements setting up disorderly activities in Jammu and Kashmir in late 1952 and early 1953. And I am afraid, Sir, that the agreement just concluded has already been followed by certain activities which are particularly pernicious and it is a disgrace—nothing to be short of it—that when Prime Minister, Bhutto of Pakistan, poking his nose into our garden declares a hartal against the agreement that we have entered into between ourselves, certain elements in this country, in Jammu and elsewhere—they can operate with certain degree of freedom—have joined hands in order to register their objectionable temper and in order to distort the atmosphere of friendship which this agreement is trying to create. Over the years, the progressive forces in this country, particularly my Party, have striven to bring closer the secular and democratic forces.

The friendly atmosphere was lacerated in the Kashmir valley when Sheikh Abdulla had to be unseated from power some 22 years ago

It was an unhappy chapter which followed since then and Shri Jawaharlal Nehru himself wanted, in the last days of his life, to put a final stop to this Chapter and to re-construct the process of friendship which had been distorted and disclosed for a certain period. It is a good thing that

after the confidence generated by the statesmanlike handling of the Bangladesh liberation crisis, New Delhi rightly turned its attention towards mending its fences in Kashmir and Jawaharlal Nehru's unfinished task was taken up with patriotism and with a sense of realism on either side and the settlement before us is the result.

I want to make a special mention of Sheikh Abdullah. I came to know of him since 1951 and I continued to count him as one of the more remarkable men of our times. It is a good thing that he has been restored as one of the senior leaders of the entire nation.

As far as Kashmir is concerned, whether he is called 'Wazir-e-Azam' or whatever else, wherever he sits, he is the head of the table. If he comes here, he might sit anywhere but he is a head of the State. The irony of Sheikh Abdullah, having been in the fight for freedom and having dreamt the visions of India which was never going to be distorted and having dreamt such dreams and having seen such visions had the blow of partition which was something which was almost impossible to get over. Living in a Muslim majority area, leading the people of whom 85 per cent or more were Muslims and who were giving the most crucial and cruel dilemma had no choice between joining India and Pakistan made up his mind to be with India and not with Pakistan because secularism, democracy and socialism can be comparatively safe in India but never in Pakistan. This sort of decision has been pilloried in some quarters in Pakistan. Imagine the agony of partition felt by Sheikh Abdullah more than many others, more than many of the younger generation today can imagine. I saw some debate where I saw the quotation from the poet Meer Taqi Meer which got stuck in my memory. I quote:

दिव द्वा क जी काश बनारस तो बना कि ।  
Even if the House of God is built on the ruins of a heart, what good is it? In this country ever since that free-

dom came, so many of us died. So how do we react to what has happened? It was a problem for the sensitive people in Kashmir. Look at the dilemma with which Sheikh was confronted. But, Sheikh Abdullah, as Jawaharlal Nehru said, in the 1952 debate, is no God. He commits many errors: he will commit many more. But, he is a brave man and a great leader of his people. Bigness is bigness in spite of a hundred mistakes. Kashmir question was a big question which could be solved by a big man and a big leadership and big people of whom Kashmir is a part in spite of whatever differences we have where there is a multi-national configuration. There is no doubt about it. There is unity and diversity—not merely diversity and unity but between all of us.—I hope we shall make a very good job of it regarding Kashmir. We have yet to do something else. What I look forward to in Jammu and Kashmir is an advance of democratic life. How far that would happen I do not know. I share some of the misgivings in the mind of my hon. friend, Shri Samar Mukherjee in regard to certain things that may develop. But, still, I would like to be an optimist in this regard at least now that the settlement is before us the advance of the democratic life in Jammu and Kashmir will take place and this will have its repercussions not only on the so-called Azad Kashmir held by Pakistan but in Pakistan itself. Progressive forces in Kashmir has now the task of bringing about cohesion and advance. A new dynamism must appear in the stagnant society of the valley. A certain deprivation of democratic rights of which Sheikh Abdullah has been complaining for years will now go. I feel, and with popular support the Centre will not find it a self-defeating and onerous job to bear the mantle and administrative burden it has done in regard to Kashmir upto today. A great deal of subsidisation had taken place but along with corruption, it has appeared as if water went out of the jug and nothing yet genuine happened as far as the people were concern-

ed. But now that the people are likely to be happy, now that political tensions are removed, the Government would not have the argue of having to perform the self-defeating task of pumping money into Kashmir and not either get benefit to the people nor any kind of recognition of India's Constitution in Kashmiri life.

Sir, I do not share the fear that there would be similar autonomy demand from other parts of the country. The position of Jammu and Kashmir is again something very special, very unlike compared to what it is elsewhere. I am not afraid of principled discussion of Centre-State relationship. That should never be unwelcome. But as far as we are concerned, in a country like ours, we need a plan, and the importance of Central direction is also extremely important, is extremely valuable I am not here to barter away the centralised direction of our planned economy, because, howsoever Government does its muddled job with the plan, we have to depend upon planning for the progress of our people. Since Sheikh Abdullah has given assurances regarding Jammu and Ladakh which are regions which have to be better looked after in the present context of things and since the main irritants in the way of administration of Jammu and Kashmir are being removed, I am looking forward to smoother sailing than in the past.

Prime Minister Bhutto of Pakistan is very unhappy and has poked his nose into our affairs. I shall be happy today if Mr Vajpayee says that he has nothing whatever to do with any kind of collaboration with this game. I say this because this is happening at a point of time when the United States is bolstering bellicose hardliners in Pakistan in order to destabilise condition in other parts of the world. The United States has always helped Pakistan with irredentist talents on Kashmir, on purely communal grounds. Behind imbrogio of 1953-54 there was the United States-Pak Pact—the idea of Asians to fight

[Shri H. N. Mukerjee]

Asians, Asian hordes to do the fighting for Americans who were too costly to transport to other parts of the world; and Pakistan after 1953-54 according to CENTO and SEATO, destroyed even the formalities of an old democratic Government. But the 20th Century bourgeoisie in Washington and Islamabad learn nothing and so they did nothing.

The State Government, the Pentagon and the C.I.A. cannot adjust themselves to new winds blowing, the winds of thought, the winds of dialogue for settlement, the winds of development, of people wishing to find fulfilment of their freedom. This is seen in the fact that the clients and beneficiaries of the United States, from Saigon to Tel Aviv via Islamabad and Tehran are now having pumped into their systems billions of dollars worth of arms. But these billions of dollars worth of arm cannot put back the wheels of history.

MR. DEPUTY-SPEAKER: The hon. Member should now conclude.

SHRI H. N. MUKERJEE: I am concluding in a moment. But I was going to say that the law of artillery cannot defeat the laws of history in other parts of the world. Things are happening which not all the confabulations and conspiracies of the reactionaries at home and abroad can stop. This is right, the idea of a new Kashmir which is a pillar as I have said, a new Kashmir which will be a part of a new India. The idea that will enthuse these people, of an India that extends from Kanyakumari to Kashmir, a unity cemented by blood and friendship, unity cemented by understanding that comes of a dialogue. If on the basis of that new India we cannot build our future, to hell with all hopes. These gentlemen specialise in pessimism and that is why they peddle the ware supplied by the Pentagon and other agencies. My point is that we have to say good-bye to that kind of activity on the basis of things

like the Kashmir agreement and rebuild our country nearer our heart's desire.

DR. V. K. R. VARADARAJA RAO (Bellary): Mr. Deputy-Speaker, Sir, I normally do not take part in political debates in this House. The only time I had done that was nearly four years ago on the subject of Bangladesh and, I believe, I was the first Member from my party to stand up in this House and demand the kind of policy that ultimately came to be adopted and helped in the liberation of Bangladesh.

AN: HON MEMBER: You should take more interest in the House.

DR. V.K.R. VARADARAJA RAO: But not in politics. Again I felt this was an occasion when in spite of my inhibitions about political matters I should raise my voice in this House because I do think this agreement which has been concluded is a great gesture of friendship based on mutual understanding, mutual forgiveness and generosity. It is not just a matter of the Congress Party or any one political party. It is my feeling that this is a matter that concerns the nation as a whole irrespective of the political parties in which we rightly or wrongly divide ourselves. I would, therefore, like to appeal to those of my friends in the House who might be tempted to take a somewhat political view of this matter to regard this not as a party matter but as a national matter, something that affects the entire future of this country.

Sir, this House in the recent past adopted a national outlook on the question of Bangladesh. I found that the whole House combined without a single exception when it came to the question of Bangladesh—liberation of Bangladesh and establishment of secularism in that part of our continent. I found recently a similar kind of unanimity appearing in this House and outside when it came to the question of resumption of arms sale by

United States to Pakistan. I would like to suggest that the indential situation exists today and the indential stand-point also be brought in the picture. By all means we can fight on party elections but on this particular subject, I suggest, that we have a national view. I do not want to dwell too much on the past of Sheikh Abdullah, I was a very youngman when I used to hear the name of Sheikh Abdullah.

SHRI PILOO MODY (Godhra): You still are.

DR. V.K.R. VARADARAJA RAO: I do not want to provoke my friend. Mr. Mody, to go into bouts of his humourous sallies, but I would like just to read from the statement that Sheikh Abdullah made when he talked about his own past. He said: The history of my life has been an open-book eversince 1931. I was involved, in fact, had the honour of leading the struggle of bringing the democratic rights to the people of Jammu and Kashmir and also participated in the national movement for the country's freedom.

"I had the privilege to be comrade-in-arms of Mahatma Gandhi, Mulana Azad, Pandit Jawaharlal Nehru, Badshah Khan and host of other freedom fighters, in the freedom struggle of India in those freedom struggle years."

I think, Shaikh Abdullah constitutes a link with a glorious past, with that past which was there when we fought for independence. The glorious past of India today is represented in the main national stream of the country by the presence of the lion of Kashmir, Shaikh Abdullah. I do not want to dwell on the tragic events that took place between 1953 and 1974. I cannot say that. I as an Indian citizen, feel too proud of what happens to individuals. Of course, everyone of us knows that he is a man who is genuinely dedicated to secularism, genuinely dedicated to so-

cialism and to democracy and yet for reasons which are very difficult to explain and understand, he was in the wilderness. I think, a great tribute must go out from this House to the magnanimity of the Shaikh who has shown a true Gandhian outlook, even Shri Jawaharlal Nehru did in and the context. Here was a man who was imprisoned time after time, abused and pilloried and yet as soon as he found a way out, he walked into the open gate even without being bid to do so, stretched out his hand and took the hand that was stretched out to him. Let us not forget that the dialogue with the Sheikh was initiated by Jawaharlal Nehru and the dialogue has more successfully brought to the conclusion by his daughter, Indira Gandhi. I think, Sir, we must look at the agreement, therefore, not in terms of legal constitutional niceties, article 370, Supreme Court, this or that and so on, but in terms of a new and broad political understanding which we are beginning to have in this country, of rapprochement and integration of the entire country.

Sir, Kashmir, as we all know, is an issue that always has confronted us when we go abroad. It has been an issue which has been raised by imperialistic powers in the United Nations and the absence of Sheikh Abdullah from Kashmir political scene made the problem much more difficult for some of us when we went to stand up in defence of what we were doing. He was hailed and trotted by our imperialist friends who said: "The lion of Kashmir, the hero of Kashmir—Sheikh Abdullah—is not there, how can we have elections; what kind of government you have." All these things were thrown at us rightly or wrongly. Now that Sheikh Abdullah has come back into the mainstream, now that issue has been finally settled and international misunderstanding will now cease inspite of any attempts that may be made by our friend across the border to try and revive it. I do not bother too much about the international reac-

[Shri Sezhiyan]

1947 they were offered a choice about which way to go, in that predominantly Muslim part of the country, he stood by secularism. When there was holocaust and communal killing, when people were being killed on either of the border between us and Pakistan, it was in Kashmir, a predominantly Muslim State with the leadership of Sheikh Abdullah that they maintained tranquility and secularism.

SHRI S. A. SHAMIM (Srinagar): In spite of Balraj Madhok.

SHRI SEZHIYAN: Mahatma Gandhi had paid the richest tribute that could be paid to any person living in those days. He said "Kashmir is a ray of light in the darkness of death and strife and Sheikh Abdullah may still prove to be a ray of light, not only for Kashmir but for the entire country in the days to come." This was what Mahatma Gandhi said about Kashmir and Sheikh Abdullah in 1947. It is not as if Sheikh Abdullah has swerved from the path of secularism, it is not as if he has swerved from the path of democracy. It is the other side, those who were responsible....

SHRI PILOO MODY: Which side?

SHRI SEZHIYAN: The other side that opposed to him. It was that side which in 1953 on the 9th August—August 8 is a national day of celebration of the Quit India Movement—asked the person who stood shoulder to shoulder with others in India in the quit India Movement, the person who was the leader of the Quit Kashmir Movement in this country, to quit office, and in a very unceremonious way at dead of night.

SHRI PILOO MODY: Like Dharia.

SHRI SEZHIYAN: Dharia was thrown out but he is still here. Sheikh Abdullah was thrown out and was sent to the prison on the same day.

SHRI PILOO MODY: You do not know where Dharia is going to sleep tonight.

SHRI SEZHIYAN: On August 9, 1953 at the dead of night orders of dismissal were issued and Sheikh Abdullah was put behind the bars. All canons of fundamental liberties and parliamentary democracy were thrown overboard; he was removed not by a vote of no-confidence in the Assembly; he was not removed from Prime Ministership by the Assembly but by the Governor, "Sardar-i-riyasat"; I do not know on whose advice he did so. Shaikh Sahib pleaded for an opportunity to explain his position; he said that he owed a duty to the Assembly as the Prime Minister but he was denied that opportunity. For 22 years he was put in darkness. According to Mahatma Gandhi he was a ray of light but that ray of light was put in darkness. After 4½ years on a cold January morning he was let out, literally stranded on the road, he was let out to stand on the snow capped rocks of a place called Kud, 140 miles away from Srinagar without any transport facilities. They say he has come to the main-stream again. Of the 22 years that have passed since then, 13 years were spent in prison by Sheikh Abdullah. The ray of light was put in dungeons of darkness just because he pleaded for what he considered to be his right. You may differ from him, but he has a right. He pleaded for that. Why was he put in prison?

SHRI ATAL BIHARI VAJPAYEE: He wanted independent Kashmir.

SHRI SEZHIYAN: He wanted self-determination. Whatever it is, is that the way to resolve differences? Has he come to the reverse side now? They could not be solved by externment orders and prison bars and dungeons of darkness or by repression or charges of conspiracy. When he was dismissed from Prime Ministership, it was said that he had become an agent of the United States imperialism.

against the interests of India and Pakistan. Later on he was dubbed as an agent of communalism and separatism under the aegis of Pakistan. Then, when he met Chou En-Lai he was called an agent of China.

**SHRI PILOO MODY:** Now that Mrs Gandhi had reached an understanding with him you can call him an agent of Indira Gandhi.

**SHRI SEZHIYAN:** I am glad Dr. Rao referred to this point. In spite of all the repression and the agony through which he was made to pass, he was not bitter when he came out. He was not angry with those people because he still believes in secularism, democracy and socialism. When the opportunity came, he availed of that opportunity. The lesson to be drawn is that August 1953 should not be again tried, not only on him but on others also not only in Kashmir but in other places also. I appreciate, not what you did for Sheikh Abdullah, but what you did for solving problem which defied solution for all these years. The approach is the main thing. The approach towards the solution of any problem should be through the table, through a dialogue, not through dungeons of darkness.

There is no use of these dungeons and other things. My appeal to you is this. You may not approve of my attitude, but on that score do not call me a communalist. Opposition should not be taken as being equivalent to treason. If an unpalatable demand is made by Shri Jaya Prakash Narayan or anybody else, you should not immediately say that he is an enemy of the country, an agent of foreign imperialism. Often times you have been found to be wrong. Those who were at the helm of affairs in 1953 have been proved to be wrong in respect of Kashmir. All the prosecution cases dragged on for years. I think Mr. G. S. Pathak went all the way to argue the case. What happened? After years of prosecution, after years of producing so much evidence it had to

be withdrawn, the charges could not stand the test of a court, not to speak of ordinary human imagination.

The Prime Minister is very right in saying that nothing significant has been conceded to weaken the present constitutional position. Some people who were against the agreement have pointed out that the title of 'Wazir-e-Azam' has been conceded. Wazir-e-Azam is a mouthful for me, but the people of Kashmir like it and accept it. Under the 1935 Act in those days the Chief Ministers of the respective provinces were called Premiers and Rajaji was the first Premier in the then composite State of Madras. In Australia the State Governments have got Prime Ministers even though there is a Prime Minister of the Federal Government. We have got Ministers both at the centre and in the States. Therefore, just by a change in name nothing has happened, nothing is conceded. Therefore, if we ask for similar things, you should not feel that we are asking for something more.

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** What is the Tamil equivalent?

**SHRI SEZHIYAN:** *Mudal Amatchar.*

As has been rightly pointed out even if article 132(2) is amended, article 136 will take care of those cases where an appeal lies to the Supreme Court. Mr. Goswami has pointed out that in respect of income tax not being paid in Nagaland and Maghalya, they have been given permission under article 254(2).

For Jammu and Kashmir they have a separate Constitution. Under that Constitution certain rights have been conceded to them. Therefore, it is nothing strange, nothing unusual. You should not call it anti national if one State can have a Constitution of its own as against the Federal Constitution. In the United States each State has got a Constitution, has got a State Anthem and a State flag also. In

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[Shri Sezhiyan.]

Jammu and Kashmir under article 144 of the Constitution, a separate flag has been provided for that State.

I also concede that there is a peculiarity, a special case for Jammu and Kashmir, but on that score if somebody else has asked for similar things do not call them names. Jammu and Kashmir has been a very sensitive border area. Apart from that half of the State has been occupied by Pakistan. In such a State, you have given some special powers, State autonomy, a separate Constitution for the State and a separate flag for the State. You gave a separate name for the Chief Minister there. In spite of that, the unity and solidarity of the country has not been disrupted. Then, why are you afraid if other States demand the same autonomy and powers? Here is a sensitive area which has withstood this. Sheikh Abdullah said in Madras that special problems require special remedies. He also said, "Don't bracket Kashmir with other States". He was aware of the demand for State autonomy in Tamil Nadu. He gave the advice that we should not equate other States with Kashmir. But he said, he supported the demand for greater autonomy. He said, "it will also strengthen national integration. If the people of a State want to have autonomy, they should have it. You cannot keep people by force." This is the statement made by a statesman who has been subjected to much persecution. Our worthy friend Prof. Hiren Mukerjee, said that this concept of self-determination should not be taken as an example by others and demanded. If the principal of State autonomy has been experimented and found to draw the people of Jammu and Kashmir into the mainstream of India, I do not know how it is going to affect the other parts of the country if they also demand State autonomy. I have not brought here the relevant literature, but when the first election was fought in 1948, in their election manifesto, the then undivided Communist Party of India demanded 17 Constituent Assemblies for the

country. They did not accept the idea of one nation. They said, this is a country consisting of so many nationalities and each should have a Constituent Assembly. Each Constituent Assembly should have the right of self-determination and send their representatives to the Federal Constituent Assembly. They supported that idea. Probably they might have changed their views now and I do not blame them for that. All I say is, when I demand more autonomy and powers for the States, when I say there may be a separate flag for each State, a separate State Anthem and a separate Constitution for each State, you may agree or disagree with me, but come and discuss it round the table. Don't call us names. Don't call our demand as anti-national.

This is not something fresh that we have developed a soft corner or respect or admiration for Sheikh Abdullah. I remember in 1962 and 1963, when others were afraid, whenever any petitions came, we were one in asking for the release of Sheikh Abdullah and having a dialogue with him round the table. I am very hopeful that with the new opportunity given under the able leadership of Sheikh Abdullah, a really new Kashmir will come into being, worthy of being followed by other parts of India.

SHRI K. HANUMANTHAIYA (Bangalore): Sir, I am happy to see that the DMK leaders are appreciating the efforts made for a settlement. I am particularly happy to see their approval of the steps Government has taken.

Sir, my impression is that we have been over-playing the issue of Kashmir for a very long time. It may be that its location determines this sort of controversy. Kashmir has been placed on the map of India in the Northern-most position and its height also is more than five to six thousand feet. This top position, in a way, is contributing to this controversy as well as to the importance it has gained. There is a Shakespearean drama

by the name of "Much Ado about Nothing"; I might transform it and say that there is much ado about a little thing. The whole population of Kashmir put together is not equal even to a constituency of some of us. It is not even as big as Bangalore in the matter of population. But that does not determine its importance; its importance is determined by the controversy and not by its contribution to the national progress nor even by the example some of its leaders have set in the matter of integration and unity.

There was what is called 'Marshall Aid' after the second world war in order to help the economic recovery of European countries. Ultimately it ended in a joke that if any European country wanted fresh money from USA they had to say that there were a lot of communists there. They used the Communist bogey to gain more and more aid. Somewhat in the same way, the bogey of plebiscite, referendum or separatism has been played up advisedly, I think, so that they may get more aid and they may get more importance. If you scan the set-up of the Government of India you will see that even the personnel of Kashmir who hail from Kashmir occupy a disproportionately important place in the administrative set-up from the Cabinet downwards. All the time, they have been framing and managing Plans and they have been assisting the Prime Minister. Unwittingly, the Opposition people are adding to this bargaining power of Kashmir. I do not envy this disproportionate importance and bargaining power; for, all of us are Indians, and it does not matter whoever get places whether he comes from Kashmir, Karnataka, Tamilnadu or U.P. We do not make a distinction between an Indian and an Indian. We have developed a sense of tolerance so far as this undue importance is concerned. All the time we have been requesting the Opposition Members not to unwittingly and unintentionally play up this issue so that this question of imbalance in the matter of treatment which you allege continues, and continues to grow. The

Kashmir problem has been there because of the unfortunate development that took place in India after or simultaneously with the granting of independence.

Then the two-nation theory entered into this controversy and for a time Sheik Abdullah behaved in a very correct manner, I would not say in a magnanimous manner. For most of us who have fought for the freedom of the country, have played an equal part in the matter of integration, unity and framing of the Constitution. But the situation was so exploited by some leaders of the area just to keep themselves in the front position in the front page of the national and international newspapers. Therefore, I want to warn you, rather I want to request you, the opposition leaders, to see that this undue importance is not further encouraged or developed. If you had kept everyone of us, I mean the States, in their proper places, this kind of controversy would not have arisen.

At the time Sheik Abdullah was, what is called, the Prime Minister in Kashmir, I was a poor Chief Minister in Karnataka. Then, many of you do not know, the controversy was whether there must be two flags in the State. In order to set an example to these people, including the Kashmir Government which wanted two flags, I removed what is called the State flag and made the national flag to fly high with all solemnity and supremacy. In those days, the then Prime Minister Jawaharlal Nehru very much appreciated this move and congratulated me on having given a hint to Sheik Abdullah. But Sheik Abdullah did not take the hint. As you know, he went to the extent of claiming a separate status for Kashmir. Also, I am told, he got the help of some foreign countries, who were interested in keeping this fire alive.

SHRI S. A. SHAMIM (Srinagar): You did well in dismissing him. The language he is talking is worse than that of Shri Dharia. The Government is criticised. He

[Shri S. A. Shamim]

says that Sheik Abdullah took advantage of assistance from foreign countries. Shame on you.

SHRI K. HANUMANTHAIYA: I do not take Shri Shamim seriously....

SHRI S. A. SHAMIM: Your party is not taking you seriously; they are laughing at you.

SHRI K. HANUMANTHAIYA: ..... because, when he says 'shame', it rhymes with his name!

SHRI S. A. SHAMIM: The same to you.

SHRI K. HANUMANTHAIYA: We have discussed this question of Sheik Abdullah several times in the AICC meeting. The last time when I spoke on this subject, some of my friends may remember, I did not approve the attitude of my friend Sheikh Abdullah. Here I may tell you for your information that I have got very good relationship, friendly relationship with him in spite of these differences. In the days when he was considered a hostile person by our Governmental leaders, he once came to my house and discussed this problem. I advised him correctly.

I advised him correctly.

SHRI S. A. SHAMIM: How foolish of him! To come to you of all persons!

SHRI K. HANUMANTHAIYA: He had such a set fools around him that he was misguided.

It took 20 years for him to get properly educated. Without personal anticipation of anything, disinterestedly, I say that I have found in our leader, Shrimati Indira Gandhi, a person who is capable of taking correct political steps at the right time. She can weigh things and takes the right decision, and that is what has exactly happened in this case.

All that he has now accepted in this agreement if he had done at

that time, there would have been no occasion for him to be arrested and there would have been no time for all this controversy either. In fact, I told him personally that he would have been in the Central Cabinet or in any good positions he would have liked to take.

Sir, the Central Government—one has to understand—is the Central Government and every other State Government is only a State Government. So, to place them and argue on terms of equality with the Centre—whoever may be the Chief Minister—is like an ant arguing with an elephant. I told him so.

I was speaking, having had experience of freedom fighting and having had experience of forging unity, in my own small way. In a country like India we cannot afford to have all states and Governments equal—not in the legal sense but in the political sense. Even in the DMK, if everybody claims equality with Karunanidhi, there will be no Karunanidhi.

So, let us accept this hard fact that Indian unity is the basis and the foremost important factor in all administrative set-ups or political set-ups or Constitutional set-ups. It may be. I envisage, that the very people who argue for State autonomy will argue the other way if they happen to come to the Centre—for, it is only human nature to be subjective. It is only people like Mahatma Gandhi who have risen above all political and personal temptations that could afford to be impersonal and objective. Most of us are subjective. Therefore, wherever we are, in our view, that place becomes the most important place. I see the same development in the evolution of political ideas of the DMK. I know them personally. The former Chief Minister Mr. Annadurai was a great friend of mine and he spoke kindly of me even when I was not in office.

SHRI SEZHIYAN: That is a great thing.

SHRI K. HANUMANTHAIA; Sir, this DMK stood for a separate State after the independence of India. But when their representatives came to Parliament they mixed in the mainstream of national politics. I know this through my personal friendship with the MPs and they modified their stand I thank them and their patriotic spirit. They did not stand on formalities or on a question of prestige in modifying their political stand to be willingly one of the States of India. Now they want State autonomy.

As you know, I happened to be Chairman of the Administrative Reforms Commission which has given its report on Central-State relations. It was assisted by eminent jurists including the late Advocate General Setalvad, C. D. Deshmukh and such other eminent persons from all over India.

At that time, the Government of India wrote to me an urgent letter that a report must immediately be submitted on this subject as they wanted to consider the problem. It was in the then existing context.

After examining all the suggestions proposals and claim for autonomy, we came to this conclusion:

"We, therefore, do not think it necessary to suggest any amendment to the Constitution. We have, however, made recommendations to delegate more financial and administrative functions and powers to the States with the twin objectives of making relations between the Centre and the States smoother and introducing efficiency and economy in the administration of the Union and the State Governments. It is not in the emendment of the Constitution that the solution to the problem of Central-State relationship is to be sought but in the working of the provisions of the Constitution by all concerned in the balanced spirit in which the founding fathers intended them to be worked."

Even the Congress Chief Ministers have been advocating some devolution of financial powers and functions. Mahatma Gandhi made a famous statement depicting the kind of administrative set-up that is to serve India. He said that it should be like a pyramidal structure with the base on the ground, not topsy-turvy making the apex stand on the ground and the base on the top. That would look ridiculous. In a big country like India where 60 crores of people have to be 20 headed persons to manage the affairs of the whole of India, having personal knowledge of persons and problems of the country. It has been one of my dictums that nobody can be efficient in a Government unless he knows persons he is dealing with and the problems he is handling. Progressively, the administrative set up in India has become somewhat impersonal. Therefore, where efficiency and economy are needed we have to introduce certain measures which are in the nature of devolution of administrative and financial powers. This can be examined impersonally on all-India basis without any particular State claiming a particular privilege or a particular way of dealing with this problem.

It is not merely the DMK. If you know the correspondence and other things, even the Congress Chief Ministers have been urging for such devolution. This will come. This has nothing to do with Kashmir. If you mix up Kashmir with State autonomy, you are likely to lose the case and you are likely to be misunderstood. Sheikh Abdullah was misunderstood and, ultimately, he had to clear the misunderstanding by making this agreement. Nobody can question his statements which are printed and published. At one time, he wanted Kashmir State to be an independent State. At another time, he wanted plebiscite and, at another time, he wanted some special status. Once when the controversy was going on—I will disclose to you—I asked Pandit Nehru "What is that he wants".

[Shri K. Hanumanthaiya.]

Some talks were going on in those days. Pandit Ji told me, "He wants a kind of condominium, something like that." But let it be said to the credit of our great leader, though he had personal affection for Sheikh Abdullah, and he wanted to do his very best to see that this problem is settled, he did not concede, because he considered Indian unity much more important than any personal friendship. Sir, the documents placed by the Prime Minister before the House concerning the statement and the conditions in the agreement are quite satisfactory.

MR. DEPUTY-SPEAKER: Now, you have started speaking on the statement. You have taken 20 minutes.

SHRI K. HANUMANTHAIYA: I obey your orders. He has agreed ultimately and I hope finally. I appreciate that the main purpose of the dialogue was to remove misapprehension on either side to ensure the bond between the Union Government and the State. He has accepted the question of accession and integration as irrevocable. These are the two commitments he has made after a considerable period of thinking and suffering also. Ultimately, suffering makes us wise and he has become wise. It is all the work of the Prime Minister. She has brought about this change of attitude in the minds of the erstwhile Kashmiri leaders who wanted some special status and the like. Let us accept this agreement unanimously, and also let us not again build up this controversy so that the rest of India is not exploited.

श्री अटल बिहारी वाजपेयी (ग्वालियर):  
उपाध्यक्ष महोदय, श्रीमती इंदिरा गांधी के प्रस्ताव में मैंने भारतीय जनसंघ की ओर से एक संशोधन प्रस्तुत किया है। यह संशोधन प्रति-प्रस्ताव के रूप में मदन के सामने है। मैं उसे पढ़ कर अपना भाषण आरम्भ करना चाहता हूँ :

"This House having considered the statement made by the Prime

Minister in the House on the 24th February, 1975, in relation to the State of Jammu and Kashmir, resolves that the process of integration of the Jammu and Kashmir State with the rest of India going on during the last more than two decades will be carried further and the State be brought at par with the other States of India."

अगर सदन इस प्रस्ताव को स्वीकार कर ले . .

श्री राम सहाय पांडे (राजनंदगांव) :  
यह कभी नहीं करेगा।

श्री जगन्नाथ राव जोशी (शाजापुर):  
यही तो गड़बड़ है। आप काश्मीर को अलग ही रखना चाहते हैं।

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, जो समझौता हुआ है उसके बारे में प्रधान मंत्री जी ने वक्तव्य देते हुए हमें बताया था कि शेख अब्दुल्ला 1953 की स्थिति को वापस लाना चाहते थे। लेकिन उन से कहा गया कि घड़ी की सुई को पीछे नहीं घुमाया जा सकता। अगर यह बात सच होती तो आज हमें विरोध को अभिव्यक्ति देने के लिये इस सदन में खड़े नहीं होना पड़ता। हमारी मांग रही है कि 1953 के बाद से जम्मू काश्मीर और शेष भारत के संबंधों के बीच में जो भी प्रगति हुयी है उसे न केवल बरकरार रखा जाय बल्कि उस प्रक्रिया को आगे बढ़ाया जाय। जम्मू काश्मीर भारत का अभिन्न भाग है। जम्मू काश्मीर के लिए चार-चार बार हमारे जवानों ने जान की बाजी लगाई है। जम्मू काश्मीर भारत माता का किरिट है। उस जम्मू काश्मीर और शेष भारत के बीच में कोई दुराव, कोई द्वैत कोई खाई नहीं रहनी चाहिए।

श्री गोस्वामी ने कहा कि धारा 370 एक पुल है। पुल उन चीजों के बीच में बनाया जाता है जो एक-दूसरे से दूर होती है। जम्मू काश्मीर जब भारत का एक भाग है तो पुल पर चढ़ कर जम्मू काश्मीर तक जाने की क्या जरूरत है . . .

**श्री एस० ए० शमीम :** क्या समुद्र में डूब कर जायें ।

**श्री बसन्त साठे :** (अकांक्षा) : नदी पर पुल हो सकता है ।

**श्री अटल बिहारी वाजपेयी** नदी पर पुल हो सकता है इस लिये कि नदी के दोनों किनारे दूर होते हैं । जुड़ी हुई जमीन में पुल नहीं बना करते ।

**श्री बसन्त साठे :** लेकिन इस में दो देश नहीं बनते ।

**श्री अटल बिहारी वाजपेयी :** दो देश हम बनाने भी नहीं देंगे । दो देश बनाने वाली सरकार इस देश में रह भी नहीं सकती ।

उपाध्यक्ष महोदय मैं जिम ब्रान की ओर संकेत कर रहा हूँ उसे हमारा मित्र जग मोशन की कोशिश करें । यह कहा गया है कि हमें प्रेम की भावना में सारे प्रश्न की देखना है लेकिन प्रेम का रास्ता बड़ा सकरा होता है

**श्री राम सहाय पाण्डे :** आप क्या जाने उस रास्ते को ।

**श्री अटल बिहारी वाजपेयी :** संकरो पैड़ो प्रेस को, जामे दुई नममाहि, सीम उतारो भुईं धरो, तब पैठो घर माहि । प्रेम का पथ द्वैत की इजाजत नहीं देता । जब काश्मीर भारत में शामिल हुआ तो अन्य राज्यों की तरह से तीन विषयों के लिए हुआ । लेकिन अन्य राज्य अपनी पृथक सत्ता समाप्त कर के, अपना अलग झण्डा उतार कर, भारत में संघ में विलीन हो गये, लेकिन काश्मीर अलग रखा गया । आज से नहीं, हम तभी से आगे कर रहे हैं कि कोई भी दीवार बीच में नहीं रहनी चाहिये ।

धारा 370 का हवाला देकर आज यह कहा जा रहा है और मैं यह समझने में असमर्थ हूँ कि प्रधान मंत्री जी को किस काननवेत्ता

ने, विधिवेत्ता ने सलाह दी है जिसके आधार पर उस दिन उन्होंने सदन में कह दिया कि धारा 370 स्थायी है । उपाध्यक्ष महोदय इस सविधान का कोई धारा स्थायी नहीं है—मेरा हमारे कांग्रेस के सदस्य कहते रहे हैं कांग्रेस पक्ष यहाँ कहता रहा है कि सविधान की हर एक धारा का बदला जा सकता है, संसद के द्वारा बदला जा सकता है मूलभूत अधिकारों का भी बदला जा सकता है घटाया जा सकता है लेकिन अब कहते हैं कि धारा 370 नहीं बदली जा सकती . . . .

**श्री विक्रम महाजन (कांग्रेस) :** किम न कहा है ?

**श्री अटल बिहारी वाजपेयी :** प्रधान मंत्री ने कहा है—मैं पढ़कर सुनाता हूँ । मैं पूरा उद्भूत नहीं कर रहा हूँ केवल प्रश्न का भाग पढ़ रहा हूँ—

"That Constituent Assembly completed its work in 1956."

कांस्टीट्यूट प्रेमेश्वरी में मतलब है—काश्मीर की कांस्टीट्यूट प्रेमेश्वरी —

"But it did not suggest deletion or modification of article 370 which, therefore, became a permanent part of our Constitution since 1956."

SHRIMATI INDIRA GANDHI: It cannot be more permanent than the other articles.

**श्री अटल बिहारी वाजपेयी :** मैं उसी पर आ रहा हूँ । यह सविधान की व्याख्या का मसाला है । प्रधान मंत्री जी ने जा व्याख्या की है—मेरा निवेदन है कि वह व्याख्या सविधान के विरुद्ध है । धारा 370 के सम्बन्ध में उस सदन में और इस सदन के बाहर आज तक जो व्याख्या की गई है नई व्याख्या उस के खिलाफ है । यह घटी की मई को पीछे घुमाना है ।

**श्री एस० ए० शमीम :** चुनावों में इसको ठीक करना है ।

**श्री अटल बिहारी वाजपेयी :** हमारी कांस्टीच्यूएंट असेम्बली में आर्टिकल 370 पर बहुत बहस हुई थी। मैं उस की कार्यवाही को देख रहा था—मैंने मौलाना हसरत मोहानी का एक भाषण देखा—जिन्होंने शिकायत की थी कि धारा 370 काश्मीर के साथ भेदभाव करती है काश्मीर के नागरिकों को वे अधिकार नहीं मिलने देती जो भारतीय गणराज्य के नागरिकों के होते हैं। उनको मिलने चाहिये मौलाना हसरत मोहानी ने कहा था कि यह आर्टिकल डिस्क्रिमिनेशन करता है। तब श्री गोपालास्वामी आयागर ने—जिन के सुपुत्र श्री पार्थिवार्थी की सलाह पर उस दिन प्रधान मंत्री ने वह दुर्भाग्यपूर्ण वक्तव्य दिया—बेटे ने बाप की बात को झुठला दिया और पुत्री ने अपने पिता की नीति को पर पानी फेर दिया।

उपाध्यक्ष महोदय, डा० गोपालास्वामी आयागर ने क्या कहा था —

“This discrimination is due to the special conditions in Kashmir.”

स्पेशल स्टेटस की बात नहीं थी वह डिस्क्रिमिनेशन था जो पैर की बेड़ी थी वह अलकार बन गया है जो भेदभाव का आधार था, वह माथे का धृंगार बन गया है। श्री आयागर ने कहा था :

“This discrimination is due to the special conditions in Kashmir. That particular State is not yet ripe for this kind of integration. It is the hope of everybody here that in due course even Jammu & Kashmir will become ripe for the same sort of integration as has taken place in the case of other States.”

हम इसी पर बल देते रहे हैं। क्या यह बात कहना साम्प्रदायिकता भड़काना है? क्या यह बात कहना प्रतिक्रियावाद को उत्तेजना देना है? केवल हम ने ही नहीं, उस समय के प्रधान मंत्री श्री जवाहरलाल नेहरू ने भी

27 नवम्बर, 1963 को इसी लोक सभा में कहा था—

“Article 370 is a part of certain transitional and provisional arrangement. It is not a permanent part of this Constitution. This process of gradual erosion of Article 370 is going on; it should allow to go on. that process is continuing.”

अगर प्रधान मंत्री जी मेरे प्रश्न के उत्तर में कह दें। . . .

**श्री दिनेश चन्द्र गोस्वामी (गोहाटी)**  
वाजपेयी जी, उसके बाद भी दो लाइनें हैं

**श्री अटल बिहारी वाजपेयी :** वे आपको पढ़नी चाहिये थी।

SHRI DINESH CHANDRA GOSWAMI: Why are you avoiding it?

**श्री अटल बिहारी वाजपेयी :** मैं एवाउट नहीं कर रहा हूँ, मेरे पास इतना ही है।  
I yield. You read out those lines.

उपाध्यक्ष महोदय, अगर प्रधान मंत्री जी उस दिन कह देती कि आर्टिकल 370 स्थायी नहीं है, जैसे सविधान के अंग अनुच्छेद हैं, वैसे ही वह भी है. . . .

**श्रीमती इन्दिरा गांधी :** यही मतलब था।

**श्री अटल बिहारी वाजपेयी :** यही मतलब था तो आप ने उमे ठीक भाषा में प्रकट नहीं किया।

यह धारा 370 का मामला गजन्द्र गडकर कमीशन के सामने भी गया था। श्री गजेन्द्र गडकर मुंबई कोर्ट के चीफ जस्टिस थे। अगर यह अनुच्छेद स्थायी स्वरूप का होता, तो गजेन्द्र गडकर कमीशन वह टिप्पणी न करता, जो उसने की थी। मैं उसका भी एक हिस्सा उद्धृत करना चाहता हूँ:—

“The title of the Article 370 itself is like this: Temporary and Transi-



tional Provisions with respect to the State of Jammu & Kashmir."

कोई अगर यह कहे कि आर्टिकल 370 को आज खत्म करने की जरूरत नहीं है, तो हमारा ईमानदारी से मतभेद हो सकता है, हम बल देंगे कि इसको खत्म कीजिये। आप कहेंगे कि अभी वक्त नहीं आया है, मिचुएशन इज नाट राइप। लेकिन उम दिन तो दरवाजे ही बन्द कर दिये गये—हमारे विरोध का यह पहला कारण है।

दूसरा कारण यह है कि हम ने समझौते के द्वारा रेसिड्युअरी पावर्नर जम्मू-काश्मीर को दे दी है, जब कि यह पावर केन्द्र को दी गई है—संविधान इसकी व्यवस्था करना है। किसी राज्य को हम ने रेसिड्युअरी पावर्नर नहीं दी है, तब जम्मू-काश्मीर को देने की क्या जरूरत है, इसका क्या औचित्य है ?

तीसरी बात—हम ने ऐलान कर दिया है कि जहां तक सुप्रीम कोर्ट की जुरिस्डिक्शन का सम्बन्ध है, अधिकांश क्षेत्र का सम्बन्ध है, अब जम्मू-काश्मीर की जनता संविधान की धारा 132 के अन्तर्गत सुप्रीम कोर्ट में नहीं जा सकेगी। लेकिन फिर कहा जाता है कि 132 के अन्तर्गत तो नहीं जा सकेगे, लेकिन 136 के अन्तर्गत जा सकते हैं। तो क्या शेख अब्दुल्ला साहब को खिलौना दिया गया है ? क्या शेख साहब इस बात को नहीं समझ सकते ? आखिर वह इस बात पर अड़े क्यों ? अगर वहां के नागरिक सर्वोच्च न्यायालय में 136 के अन्तर्गत जा सकते हैं तो फिर 132 अनुच्छेद के अन्तर्गत क्यों न जायें। सुप्रीम कोर्ट की हमारे मंथीय संविधान में सारे देश को जोड़ने की भी एक भूमिका है।

**श्री राम सहाय पांडे :** जैसे आपकी तोड़ने की है।

**श्री अटल बिहारी वाजपेयी :** जैसे आप की मूड मोड़ने की है।

उपाध्यक्ष महोदय, चौथी आपत्ति इस बात पर है कि 1953 के बाद जो भी कानून

संसद् ने बनाये और जो जम्मू-काश्मीर पर लागू किये हैं उन्हें रद्द किया जा सकेगा। अगर राज्य सरकार उन्हें रद्द करने के बारे में केन्द्र के पास प्राथमिकता तो राष्ट्रपति महोदय राज्य सरकार की प्रार्थना पर बड़ी सहानुभूति के साथ विचार करेंगे। जो भी कानून लागू किये हैं वह संसद् ने किये हैं। संसद् में जम्मू-काश्मीर के प्रतिनिधि भी बैठे हैं। क्या यह संसद् जिसमें सारे देश के प्रतिनिधि बैठे हैं जम्मू-काश्मीर के हितों की रक्षा नहीं कर सकती ? अगर आप इस सिद्धान्त को स्वीकार कर लेंगे तो बड़ा खतरा मोल लेंगे।

आज गुजरात में विधान सभा नहीं है।

SHRI K HANUMANTHAIA: The Parliament's sovereignty is maintained intact in this agreement. It is not disturbed in any way.

**श्री अटल बिहारी वाजपेयी :** उपाध्यक्ष महोदय, मैं कह रहा था कि आज गुजरात में विधान सभा नहीं है। संसद् के कानून लागू हो रहे हैं। संसद् वहां के सारे प्रशासन की देख-भाल कर रही है। अब गुजरात में ऐसी सरकार आ जाय जो यह कहे कि राष्ट्रपति राज्य के दारान पार्लियामेंट ने गुजरात के बारे में जो कुछ किया है हम उसे स्वीकार नहीं करेंगे, क्या यह केन्द्र को चुनौती नहीं है ? क्या यह संसद् की मना को चुनौती नहीं है ? प्रधान मंत्री ने यह स्वीकार करके न केवल संसद् की अवहेलना स्वीकार कर ली, मगर शेख अब्दुल्ला के बाद जम्मू-काश्मीर में जो भी मुख्य मंत्री आये थे उनके ऊपर भी परोक्ष रूप से यह आरोप स्वीकार कर लिया कि उन्हें जम्मू-काश्मीर की चिन्ता नहीं थी, अगर किसी को चिन्ता है जम्मू-काश्मीर की तो शेख साहब को है। बख्शी, मादिक, कामिब को किसी प्रकार की चिन्ता नहीं थी।

**श्री एस० ए० शमीम :** आप उन तीनों के खिलाफ थे।

श्री. अटल बिहारी वाजपेयी : हां, इसीलिये खिलाफ थे कि वह तीनो 370 को बनाये रखना चाहते थे।

श्री. चौथी बात है उपाध्यक्ष महोदय, वजीरेआजम। पहले कश्मीर की सविधान सभा ने वजीरेआजम रखा था। मगर जब एकीकरण की प्रक्रिया चली तो मुख्य मंत्री हो गये। अब मुख्य मंत्री जा रहे हैं, वजीरेआजम घ्रा रहे है। घड़ी की मुई पीछे घूम रही है। अभी शमीम साहब कह रहे थे कि वजीरेआजम और वजीरेआला मे क्या फर्क है। तो फिर वजीरेआला कहा जा सकता है शेष अब्दुल्ला को। मगर नहीं, वजीरेआजम कहा जायेगा। प्रधान मंत्री वजीरेआजम है। अब देश मे एक और वजीरेआजम होंगे। उनके लिये फिर सविधान बदला जायेगा। डा० कर्ण सिंह सदरे रियासत हुआ करते थे। फिर वह राज्यपाल बने। अब फिर वहा सदरे रियासत होगा।

उपाध्यक्ष महोदय, शेख साहब कहते है कि समझौते के बारे मे जो पार्लियामेंट मे बहा गया, जो अखबारो मे निकला, जो कुछ रेडियो मे आया है उसमे समझौते का पूरा-पूरा चित्र सामने नहीं रखा गया। हम जानना चाहते हैं और कौन सी बातें है जो अभी सामने नहीं आयी है? यह उनका वक्तव्य है समझौते के बाद। उन्होंने यह भी शिकायत की है कि समझौते का "बैलेस्ट पिक्चर" पेश नहीं किया गया है। यह बैलेस्ट पिक्चर क्या है, हम जानना चाहते हैं।

शेख साहब को यह भी शिकायत है कि मैं जम्मू-कश्मीर मे वजीरेआजम रहूंगा और बाहर जाने ही मुख्य मंत्री हो जाऊंगा यह हम ने नहीं माना है। तो फिर क्या क्या माना है? इसका मतलब यह है कि कुछ ऐसी चीजे हैं जो सदन के सामने नहीं आयी हैं। मेरा निवेदन है कि आज की चर्चा मे पूरी तस्वीर रख दी जाय। न हम को शिकायत हो और न शेख साहब को शिकायत हो।

उपाध्यक्ष महोदय, हमारे लिये भारत की एकता और अखंडता यह निष्ठा का विषय है। हमारे दृष्टिकोण से कोई मतभेद रख सकता है। लेकिन हम लगातार इस बात पर बल देते रहे है कि केन्द्र मजबूत होना चाहिए। भारत का सविधान मूल रूप से यूनिटरी है, और हम ने जो आर्टिकल (1) मे कहा है कि :

India is Union of States

यह वर्णन गलत है।

India is Union of States

का यह मतलब है कि राज्य पहले थे उन्होंने मिलकर यूनियन बनाया। यह गलत है। भारत पहले था और शक्ति को बांट कर हम ने राज्यों का निर्माण किया। शेख साहब हम को चुनौती दे रहे हैं। हमारा यूनियन है, फेडरेशन नहीं है। अमरीका जैसा ता बिल्कुल नहीं है। इसीलिये रेजीडेंसरी पावर देने की बात मेरी समझ मे नहीं आती।

लेकिन जो बातें नहीं मानी गई वह मन्त्रमुन मे स्पष्ट करती हैं कि शेख साहब और उनके साथी क्या चाहते हैं? वह यह चाहते थे कि जम्मू-कश्मीर को सुप्रीम कोर्ट के जूरिस्टिक्शन से बाहर कर दिया जाय। वह यह भी चाहते थे कि मूलभूत अधिकार सम्बन्धी धारगये जम्मू-कश्मीर के सविधान को लौटा दी जायें।

श्री विभूति मिश्र (मोतीहारी)

यह तो नहीं हुआ।

श्री अटल बिहारी वाजपेयी : मैं मानता हू कि नहीं हुआ। मगर वह चाहते थे। वह चुनाव आयोग के अधिकार क्षेत्र मे भी जम्मू-कश्मीर को बाहर करना चाहते थे। उन्होंने यह भी कहा था कि धारा 356 जिसके अन्तर्गत केन्द्र किसी भी प्रदेश मे सकट के समय राष्ट्रपति शासन लागू कर देता है, बहा लागू न हो। राज्य सरकार की राय से काम किया जाय। मैं मानता हू कि इसका दुरुपयोग हुआ है, लेकिन अगर दुरुपयोग

हुआ है तो हम पार्टी ने किया है, संविधान के निर्माताओं ने कोई गलती नहीं की, केन्द्र को यह अधिकार होना चाहिए कि वह संकट के समय किसी भी प्रदेश का शासन अपने हाथ में ले ले। यह है और दलों तथा हमारे बीच में बुनियादी अन्तर। हमारा आप से मतभेद है, मगर आप से मतभेद के कारण हम केन्द्र को दुबल करना नहीं चाहेंगे। आज आप हैं कल नहीं होंगे। मगर शेख साहब और उनके साथी यह बातें क्यों मांगते हैं ?

उपाध्यक्ष महोदय, अब मुझे कुछ अतीत के पत्रों को पलटना होगा। मर्चाई यह है कि अगर जम्मू-कश्मीर पर पाकिस्तान का हमला न होता तो शेख अब्दुल्ला और उनके साथी जम्मू-कश्मीर को स्वतंत्र राज्य बनाने की कोशिश करते। आज भी अखबारों में जो उनका बयान छपा है और जिसमें पाकिस्तान की भर्त्सना करते हुए कि वह कश्मीर के मामले में दखल दे रहा है, शेख साहब ने एक बात कही है जिसको पढ़ना चाहिए कि अगर पाकिस्तान उम समय हमला न करना तो जो घटनाएं घटी शायद उनका रूप भिन्न होता। जम्मू-कश्मीर ने भारत में मिलने का फैसला किया जब हमला हो गया। हम मिलने के फैसले का स्वागत करते हैं। जिस दिन जम्मू-कश्मीर के महाराजा ने इन्स्ट्रूमेंट ऑफ एक्सेशन पर दस्तखत कर दिये जम्मू-कश्मीर भारत का अंग बन गया। महाराजा के निर्णय पर जनता ने अपनी मोहर लगायी

श्री एस० ए० शमीम : जनता यानी शेख अब्दुल्ला ।

श्री अटल बिहारी वाजपेयी : शेख अब्दुल्ला उनके नेता थे, यह मैं मानता हूँ कि शेख साहब ने इसमें निर्णायक भूमिका अदा की यह स्पष्ट है। लेकिन 1953 में शेख साहब को गिरफ्तार करने की जरूरत क्यों पड़ी ? शेख साहब को हम ने गिरफ्तार नहीं किया। सरकार ने गिरफ्तार किया। शेख अब्दुल्ला जेल में गये। . . . (शब्दघान) . . . नेहरू जी का

फैसला था। माफ कीजिये, आप अगर टोका-टाकी करेंगे तो मुझे ऐसी बातें कहनी पड़ेंगी जिनको मैं इस चर्चा में लाना नहीं चाहता। शेख अब्दुल्ला के बारे में नेहरू जी का असेसमेंट किस तरह से बदला, यह मलिक साहब की किताब में है, जिसको चुनौती नहीं दी जा सकती।

श्री एस० ए० शमीम : वह सी० आई० डी० का अफसर था। वह घटिया अफसर था।

श्री अटल बिहारी वाजपेयी : आप के लिये वह घटिया अफसर हो गया।

"Pandit Nehru said that all trouble in Kashmir was due to the Sheikh's communal outlook and it was he who was not allowing the State to settle down in peace and stability.

The Sheikh always talked about the rights of the Muslims forgetting that the Hindus also formed nearly 35 per cent of the population of the State and he never showed any consideration for them.

Pandit Nehru mentioned that finally he and other Indian leaders had to go along with the Sheikh for a considerable period and had also helped him and played him up hoping...that the Sheikh would be able to get rid of this communalism. But communalism was a disease with him and he can never get rid of it; and his entire outlook on life was based on the fact that Kashmir Valley had a Muslim majority."

यह मेरा लिखा हुआ नहीं है।

श्री एस० ए० शमीम : यह घटिया अफसर का लिखा हुआ है ?

श्री अटल बिहारी वाजपेयी : ये सरकार के लोग हैं। श्री वी० एल० शर्मा, जो डाइरेक्टर थे फोरन एफयर्स मिनिस्ट्री से श्री जे० काश्मीर का मामला देखते थे मैं उनके किताब में उद्धरण दे सकता हूँ मगर श्री शमीम फिर कहेंगे कि वे भी घटिया हैं।

[श्री अटल बिहारी वाजपेयी]

उपाध्यक्ष महोदय, मैं अपने भाषण को उपसंहार की ओर ले जाना चाहता हूँ क्योंकि आप बार-बार घटी बजा रहे हैं। जैसे कहने के लिए तो मेरे पास बहुत सी बातें हैं। मुझसे पहले और दलों के नेता बोले और उनके भाषणों न हमारी आशंका की पुष्टि की है। काश्मीर को विशेष स्थिति दे कर और उस विशेष स्थिति को स्थायी बना कर देश के और भागों से इसी तरह की मांग उठे, इसके लिए आप दरवाजा खोल रहे हैं।

मैं यह कहना चाहता हूँ कि जब शेख अब्दुल्ला काश्मीर में शासन में थे, तो जम्मू के साथ बड़ा भेदभाव हुआ था और लद्दाख की उपेक्षा की गई थी। नतीजा यह हुआ कि जम्मू से मांग उठी कि जम्मू को अलग कर दिया जाये और वह हम थे जिन्होंने जम्मू में खड़े हो कर कहा कि शेख से लड़ना एक बात है, मगर जम्मू को काश्मीर से अलग नहीं किया जा सकता। जम्मू और काश्मीर एक साथ रहेंगे, जैसे कि जम्मू-काश्मीर तो षण भारत के साथ रहना है। मगर यह मांग उठी थी। हमारे मित्त श्री कृष्णाक बाकुला जो यहाँ पर बैठ गए हैं, वे मांग करते रहे हैं कि लद्दाख को केंद्र को अपने शासन में ले लेना चाहिए। यह एक सचार्ड है कि लद्दाख की हालत खराब है लद्दाख के साथ न्याय नहीं हो रहा है और इसलिए गजेन्द्र गडकर कमीशन बना था। उस कमीशन की सिफारिशों अभी तक लागू नहीं की गई है। डवलपमेंट बोर्ड नहीं बने हैं। जम्मू के लिए अलग म डवलपमेंट बोर्ड बनना चाहिए था, लद्दाख के लिए अलग से डवलपमेंट बोर्ड बनना चाहिए था। रिजर्वमेंट नीति बहननी चाहिए थी।

उपाध्यक्ष महोदय, पहले तो राजन की मात्रा भी जम्मू और श्रीनगर में अलग-अलग थी माना कि श्रीनगर में भूख अधिक लगनी है और जम्मू में जठरगनि जरा मन्द हो जाती है। यह भेद क्यों? मझे डर है कि शेख अब्दुल्ला के शासन में आने के साथ ही

जम्मू और लद्दाख की आसंकाएं बढ़ेंगी और नये मकट पैदा होंगे।

एक बात और। प्रधान मंत्री ने आशा व्यक्त की है और राज्य सभा में उनका भाषण कुछ कुछ बदला हुआ था, उन्होंने कहा है कि यह एक महान प्रयोग है। अगर यह प्रयोग सफल हो जाये और शेख अब्दुल्ला को राष्ट्र की मुख्य धारा में लाने में हमें कामयाबी मिले, तो हमें बड़ी प्रसन्नता होगी, लेकिन इसके बावजूद जो संवैधानिक प्रश्न है, वह भिन्न है। जम्मू-काश्मीर में मुस्लिम मेजोरिटी है, इसलिए उसे एक विशेष दर्जा दिया जाये, यह साम्प्रदायिकता को बढ़ाने वाला तर्क है। मेरा निवेदन है कि इस तरह का तर्क मत दीजिये।

श्री राम सहाय पांडे : यह जम्मू में आप कह कर आये है।

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, यह जानने हुए बोलते हैं या सोते हुए बोलते हैं यह समझ में नहीं आता। लेकिन मुझे डर है कि शेख साहब शासन में आने के बाद वही ऐसा काम न करे जिसमें हमारी आशाएँ पूरी न हों। अभी जम्मू-काश्मीर में ऐसे लाखों लोग हैं जो लोक सभा के लिए वोट दे सकते हैं, मगर विधान सभा के लिए नहीं। क्या नहीं दे सकते? वे भारत के नागरिक हैं या नहीं? हमारे जवान जम्मू के लिए जान दे सकते हैं मगर जमीन नहीं खरीद सकते। मैं मानता हूँ कि बहुत बड़ी संख्या में वहाँ पर लोग जमीन खरीदें, यह ठीक नहीं है, मगर संविधान को उसमें बाधक नहीं बनना चाहिए। उस बात का भी डर है कि शेख साहब जम्मू के दो हिस्सों को, डोडा और पृथ को घाटी के साथ जोड़े और फिर कहे कि जम्मू प्रोटोनामी ले ले लद्दाख प्रोटोनामी ले ले। सचमुच में उन्हें लद्दाख या जम्मू की चिन्ता नहीं रहती है। वे तो घाटी तक अपने को सीमित रखना चाहते हैं। अगर ऐसा होगा, तो यह देश के लिए दुर्भाग्य की बात होगी।

उपाध्यक्ष महोदय, हम दूध के जले हैं, इसलिए छाछ को भी फूक फूक कर पीना चाहते हैं और इसीलिए हम अपनी आशाकांक्षों को प्रकट करते हैं। जब डा० मुकर्जी ने विशेष दर्जे का विरोध किया था तब डा० मुकर्जी झकेले थे, मगर बाद में डा० मुकर्जी सही साबित हुए और उनकी आलोचना करने वाले शकत साबित हुए। किन्तु आज मैं सही साबित नहीं होना चाहता। मैं कामना करता हूँ कि परिस्थितियाँ मुझे शकत साबित कर दे, मैं कामना करता हूँ कि मेरी आशाकांक्षा निरमूल हो जायें। . . . (ध्वनिघान) . . . पूरी होगी, तो ठीक नहीं होगा और इसलिए मैं यह कहूँगा कि मेरा जो संशोधन है, वह सारे सदन की भावनाओं को प्रकट करने वाला है और इसको स्वीकार कर लिया जाये। इसका स्वीकार कर लेना इस बात की कसौटी होगी कि सचमुच हम घड़ी की सुई का घागे बढ़ाना चाहते हैं, पीछे नहीं।

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): Mr. Deputy-Spaker, Sir, I rise not essentially as a representative of Jammu and Kashmir but as an Indian from whom every inch of our beautiful land from Kashmir to Kanya Kumari and Jaisalmer to Arunachal Pradesh is equally sacred. It is true that State and regional loyalties have a place in our political thinking, but atleast in the Lok Sabha, which is the focus of national aspirations and the guardian of national interests, it should be the national view when we talk of such problems.

16.57 hrs.

[SHRI NAVAL KISHORE SHARMA in the Chair]

Having said that, I am proud to associate myself in a very special way with this State. In fact my association goes back five generations—the founding of the State, the consolidation of the State was largely the result of my family. In 1947 it was my father who signed the instrument of accession of Jammu and Kashmir which made the State legally and

constitutionally a part of India, and he was strongly supported in that move by Sheikh Abdullah. Let me remind you, Sir, he signed the instrument of accession for the entire State of Jammu and Kashmir including those areas that are at present under illegal foreign occupation. I myself thereafter for 18 years, from the age of 18, had the privilege of being Head of the State, first as a Regent, then for three terms as elected Sadar-e-Riyasat, then Governor; and for the last eight years I have represented the State in Parliament. Therefore, I feel that I can perhaps speak with some special knowledge, if not authority with regard to the problems of the State.

The re-entry of Sheikh Abdullah into main stream of national life after 22 years is an important event. A great deal has been said about 1953. I do not at this stage consider it necessary or useful to go into the details of that particular happening, but I think it is important to remember that in 22 years that have lapsed since 1953, a great deal has happened. Time has not stood still. Three years have been fought on Indian territory in Jammu and Kashmir, and precious blood from all over the nation has been shed in the defence of motherland. The old Pakistan has ceased to exist. Bangla-Desh has been liberated and Jammu and Kashmir itself has been integrated with the rest of the country in numerous ways and, if I may venture to express my own opinion, in the interests of the people of the State and with the agreement and concurrence of the State Government. There has been constitutional and legal integration. 92 out of 97 entries in the Union List have been extended to Jammu & Kashmir and 26 out of 47 entries in the Concurrent List have been extended to Jammu and Kashmir. Economically, special attention has been paid to the development of Jammu and Kashmir. The Five Year Plans of the State have been dovetailed into the national Plan. The Finance Com-

[Dr. Karan Singh]

missions have taken cognisance of the national Plan. The Finance Commissions have taken cognisance of the special requirements and problems of the State and a great deal of development has taken place in these last two decades. Administratively there has been a great deal of integration in the administrative services and so on and politically Jammu and Kashmir has come into the main-stream of national life. I think this is incontrovertible. This is important. And perhaps Hanumanthaiya ji was suggesting, the very fact that three MPs from Jammu and Kashmir are part of the Council of Ministers itself bespeaks of the political integration that has taken place between that State and the rest of the country.

17.00 hrs.

SHRI PILOO MODY On the contrary this indicates special treatment.

DR. KARAN SINGH Sir, it is very important for us to remember that a whole new generation has come of age for whom the old partition situation is only a part of history. For this post-independent generation, the whole outlook is something different. They are eager for change. They are impatient of incompetence. They are angry at corruption. They have the same hopes and aspirations as the younger generations do in the rest of the world. The river of time can never be forced to flow backwards. And what I wish to submit is that in these 22 years a great deal of water has flown down the Indus in Ladakh, the Jhelum in Kashmir and the Tawi in Jammu. I do not think it is possible for time to be turned back, and I think it is important therefore for us to understand that this agreement that has taken place takes into cognisance the events and the developments that have occurred in the last 22 years.

Sir, I do not want to go into the legal problems. Perhaps my senior colleague may intervene later on, if there is any necessity, with regard to

the legal and constitutional problems. Therefore I do not want to say much except this, that as far as Article 370 is concerned it is as much a part of the Indian Constitution as any other Article and it is therefore subject to amendments, subject, of course, to the concurrence of the State because Article 368 also applies to the State. This is a simple problem but Atal Bihari ji has been making heavy weather of it. I do not think that any new situation has developed. What the Prime Minister was saying was that Article 370, which today governs the relationship of that State with the rest of the country, will continue to govern the relationship of that State. That is very clear in her statement.

So, Sir, without going into the constitutional and legal points, there are three or four salient aspects which I would like to submit before you, Sir, and before the House, with regard to this whole problem.

As far as national unity, integrity and security of the nation are concerned they are paramount and they are non-negotiable, especially in Jammu and Kashmir, with its unique geographical location and with the fact that large portions of the State are still under illegal foreign occupation, of which I will have something to say a little later. Therefore Sir, no risk or compromise with regard to national unity and security can be made and none has been made. Sheikh Abdullah has only re-affirmed what is an incontrovertible fact, that Jammu and Kashmir is, and will always remain, a part of India. I think this must be very clear. I do not think there need be any fear or trepidation or doubts about this particular position.

Then, the second problem to which I would like to refer is one to which Shri Atal Bihari Vajpayee has briefly referred, that is, with regard to the Regions of the State. Every State has got its Regions whether it is Maharashtra or Andhra and so on. But it is true that in Jammu and

Kashmir the Regions are very clearly demarcated and defined, because it is a composite State that was built up due to historical reasons over the last century. I think it is a unique thing that Jammu and Kashmir State has three Regions where religions differ, customs, food, dress, language, all are different to a very large extent, but, nevertheless, it has remained, and continues to be, a single family. I think, Sir, this is a glowing example of secularism and of the composite nature of our whole philosophy of life.

Now, as far as the question of a fair-deal to the Regions is concerned, certainly, due to historical reasons, certain imbalances had crept in. And it is a result of this that the Jammu and Kashmir Government set up the Gajendragadkar Commission, which, I may add, was boycotted by the Jan Sangh and its party in Jammu. They boycotted and opposed it, I can prove it by quotations at that time. As a result of this Commission which was set up, a large number of steps were taken to remedy these regional imbalances.

I can go into the details. With regard to Jammu itself, there were a number of requirements which have been made up subsequent to this report. There was the necessity of a University, a Law College, a Medical College, a Sainik School. And a vast Hydro-electric project worth Rs. 140 crores, the Salal project has been started there. The rail line has been extended to Jammu after a quarter of a century. Crores of rupees worth of traffic, tourism, various other handicrafts and fruits are there in Jammu now. A large number of other things have come about. The bridge on the Tawi, a Jammu bypass is under construction which will provide the second bridge.

As far as this point is concerned, we have been aware of it and we have taken, the Prime Minister has taken, particular interest to ensure that

Jammu gets a fair deal, that the development in the Kashmir valley also proceeds rapidly and that the problems of Ladakh are also looked into. It is true that Ladakh has very special problems which require special solutions. A Development Board was also set up in Ladakh. It is possible that the development there could have been more rapid than it has been, I will admit that. But nevertheless, attention has also been paid to Ladakh.

The point I wish to make, is not what we have done so far, but Sheikh Abdullah before he took over office and after that has on several occasions reiterated his determination to ensure a fair deal for Jammu and Ladakh. Therefore, we hope and expect not only that there will be no backsliding, but that he will take further measures to ensure a fairer deal, a fuller participation politically, economically and administratively to these regions. I think he will be very well advised to do this. After what he has said, we are now looking forward to some concrete steps in that direction.

Apart from ensuring a fair deal to the regions, Sheikh Sahib has spoken a great deal about his determination to eradicate corruption and to make Jammu and Kashmir a model State. I must say, I welcome this. Jammu and Kashmir, along with other States, can do with a good deal of cleaning up. I only hope that Sheikh Sahib will succeed in his efforts to give as clean an administration as possible and not be side-tracked by corrupt elements who specialise in hovering around the corridors of power and who are particularly efficient when it comes to Jammu, and Kashmir. Therefore the problems of national unity, the problems of a fair deal for the regions and the question of improving the administration—all of these, we hope sincerely, will not be weakened but in fact, there should be progress on all these fronts

Even more important than this is the political aspect. Jammu and Kashmir has been the arena not only

[Dr. Karan Singh]

of military battles but of ideological battles with secular and democratic forces ranged against communal and obscurantist forces, whether they are Hindus or whether they are Muslims. This ideological conflict has been at the heart of Jammu and Kashmir for a long time in history. I would like the House to realise and appreciate that in this ideological battle, to have the active participation on our side of Sheikh Abdullah is a valuable and a very definite asset. There can be no two opinions about it; Sheikh Abdullah is definitely the tallest of all the Kashmiris, both figuratively and literally. He is a mass leader of a considerable stature. We are sure that his coming actively into the main stream will strengthen the forces of democracy and secularism, and thereby, apart from the developmental aspects, it will also help in the political and ideological battles that are being fought. I would, therefore, urge that we should not take a narrow party view of this matter. If we had to take a Party view, our own Party was in power there. There was no threat to it. We voluntarily and happily relinquished power because we felt that ideology was more important than political power. We believe not only in remaining in power, but particularly in strengthening the ideological roots for which our party has stood

Sir, I am aware of the fact that there are fears and apprehensions. I do not want to oversimplify the whole matter. I do not want to brush aside all fear or apprehension as being motivated, because it is a delicate and difficult situation. But, I would like to submit that to exaggerate the fears like the Jansangh is trying to do, day-in and day-out, betrays a lack of confidence in the resilience of our own democracy. Our democracy is a strong and vibrant one, and I would submit that only a strong and confident government and leadership can take an imaginative and bold step of this nature. No weak government could have taken this step; the step that the

Prime Minister has taken, I think, we must be very clear, does not flow from weakness but flows from the confidence in our own strength and our ideology and the fact that India, after all, is a great nation. I do not think we should tremble and be over-apprehensive. As the poem goes:

"Quiver and quake and shiver and shake like curd on a camel's back."

That is not what we should do. We are after all a great nation, and I would submit that the Jansangh's position betrays the lack of self-confidence. That lack of self-confidence is justified as far as your party is concerned. But it is not justified as far as the nation is concerned, because I feel that our nation is great enough, unaguanimous enough, powerful enough to take this agreement in it will also help in the political and success

It is unfortunate that two of the most unhappy people after this agreement were Shri Atal Bihari Vajpayee and Shri Bhutto. It is a strange coincidence that these are the two unhappy people after this agreement.

श्री अटल बिहारी वाजपेयी : जिनका मैं भूटो माहब ने श्री श्रीमती इन्दिरा गांधी से समझौता कर दिया, क्या तब भूटो शकल था ?

DR KARAN SINGH: I would like to say this. It is sad to say that Pakistan is taking this attitude on the one hand, while on the other hand it is in occupation of two-fifth of the State and it continues to interfere in our domestic affairs. It is whipping up hysteria; a hartal is forced on Pakistan. If you ever listen to the Pakistan radio, particularly, from Pakistan occupied Kashmir, it is quite hair raising (*Interruptions*).

Because this is a free country, you can listen to any radio you like. This is a very serious thing and I would like this hon. House to note that after our unparalleled generosity at Simla



and after the trauma of Bangladesh and all that happened subsequently, Pakistan should realise that it is only by grasping the hand of friendship that we have extended that it can develop. We did expect Prime Minister Bhutto to rise to the occasion. It is very disappointing that he has not done so. I do not want to go into details. There are domestic problems in Pakistan. The re-arming of Pakistan is ominous; Jammu and Kashmir has been the battle ground repeatedly. Four times there have been wars and it was Indian territory in Jammu and Kashmir that was attacked. Even on the last occasion, the magnificent victory this nation won, it was 20,000 people from Jammu and Kashmir in Chhamb who gave sacrifices and had to leave their hearths. We must realise that the people of Jammu and Kashmir have been living on the mouth of the volcano for twenty five or thirty years. Therefore we must be cautious and vigilant and be prepared. But we need not be nervous. I am confident that if Pakistan is foolish enough to embark upon another adventure, the Prime Minister—it is somewhat embarrassing for me to say this in her presence—will be able to face them boldly. The world remembers in the moment of crisis the bold lead that she gave to this nation, and how she got through the very difficult situation during the Bangladesh crisis.

If Pakistan, I repeat, again comes to attack us, I am sure that it will end in disaster of what remains in Pakistan. I sincerely hope that even now, after his first intemperate outburst, Mr. Bhutto will re-think and reconsider the position and not once again embark upon the policy of confrontation which will plunge his long suffering people into renewed disaster.

These are the few points that I would like to put forward. Sir, I would submit that it is in this whole background, that the understanding with Sheikh Abdullah must be seen. I would urge this because I happen to

know the affairs and the situation in the State very intimately. I feel that we should not take, should we say, a constricted or constricted view of the situation. We must realise that this agreement is a political agreement. Sheikh Abdullah belongs to a vanishing generation and genre who were associated with Gandhiji: Panditji, Maulana Azad, Badshah Khan. Sir, I heard his acceptance speech in Jammu on the 24th of February. It was indeed a moving experience. He spoke with great evident sincerity of the ideals of secularism, socialism and democracy, of the importance of cleansing public life, of the necessity of re-introducing spiritual values so that not only material progress takes place but the soul of the nation is also strengthened. He said all these things. I would urge, Sir, that we give him trust, trust begets trust and let us see how the situation develops. He has now come forward in a totally changed situation, he has come forward to strengthen the ideals for which we all stand. So we should wish him well, and I would submit that this entire House should extend to Sheikh Saheb confidence and good wishes in the very difficult task that he is undertaking. And that task is to build a new Jammu and Kashmir as part of our nation that we all so deeply love and cherish.

SHRI SURENDRA MOHANTY (Kendrapara) Mr Chairman, Sir, while congratulating Sheikh Abdullah on his return to power after two decades of incarceration, I would have welcomed this accord without any reservation had it drawn the final curtain, put an end to the estrangement between India and Sheikh Abdullah and his followers. Sir, though the Prime Minister's statement claims that "finality has been reached" in India and Kashmir relations, according to a recorded statement, Sheikh Abdullah would not concede it. In this context, I would invite the attention of the House to Sheikh Abdullah's press statement published in the Times of India with dateline of Jammu, February 26th. Sir, the House

[Shri Surendra Mohanty]

will recall that a new portfolio has been created under the leadership of Sheikh Abdullah, under the nomenclature of 'Centre-Sheikh Accord' in charge of Mirza Afzal Beg. When the newsmen asked Sheikh Abdullah why this new portfolio has been created—'Centre Sheikh Accord'—what was it rational, Sheikh Abdullah replied that 'it (the Accord) is a continuous process'. Sir, the fact remains that even though the Prime Minister would claim that this accord has lent a seal of finality to the relationship between India and Kashmir, between the Centre and Sheikh Abdullah, Sheikh Abdullah himself would say it is a continuous process and it behoves the Government to enlighten the House where this continuing process was going to lead.

Sir, there is another aspect of the matter to which I would invite the attention of the House. Who are the signatories to this agreement? On the one side is Mr. Parthasarthy and on the other side is Mirza Afzal Beg. Let us look at the history of Mirza Afzal Beg.

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH)** If you are supporting the agreement then why go into that.

**SHRI SURENDRA MOHANTY:** Why not? I am just laying the facts objectively. I would quote from the speech of the late Prime Minister, Shri Jawahar Lal Nehru, in the Lok Sabha on 8th August, 1953:

"It was still more unfortunate that wrong advice is given to Sheikh Abdullah who had been the acknowledged leader of the national movement in the State. Certain utterances of Sheikh Abdullah reflected this advice and created confusion in the minds of the people of the State. Disruptive elements who had not accepted the principles on which the democratic movement of the State"

has been built up took advantage of the position and attempted to disrupt the State."

It was Mirza Afzal Beg according to that speech of Jawahar Lal Nehru who had master-minded this disruptive attempt to which Sheikh Abdullah fell a willing prey. Therefore, it behoves the Government to convince the House how the same Mirza Afzal Beg could turn round and be the mediator between the Centre and the State. I was enquiring from my friend, Mr. Shamim as to how old is Mirza Afzal Beg. He replied that he is past sixty-eight and, I presume Sheikh Abdullah is past seventy. In their advanced old age when they had been frustrated in their repeated attempts to drive a wedge between India and Jammu and Kashmir they have now come round with this kind of agreement to which unfortunately the Prime Minister of India has fallen a prey.

Sheikh Abdullah, if I refresh the memory of the House was invited on 8th August, 1953 by the Sadre-Rayast to his residence to resolve the difference that had arisen among the members of the Cabinet to which Sheikh Abdullah clearly declined to attend that conference. Thereafter he was dismissed and arrested in Gulmarg along with Mirza Afzal Beg. I would like to know what has happened in the meantime to again bring the same Sheikh Abdullah to the picture and the same Mirza Afzal Beg to the picture after two decades of normalcy to hatch out this kind of accord of doubtful merits.

Sir, much has been said about Article 370. Article 370 was originally Article No. 306A in the Draft Constitution. Late Gopalswami Aiyangar who had piloted this Article 306A in the Constituent Assembly, had said:

"When it has come to a decision on the different matters, it will make a recommendation to the President who will either abrogate

Article 306A or direct that it shall apply in such modifications and exceptions as the Constituent Assembly may recommend."

This was also repeated by Jawahar Lal Nehru time and again. I would like to ask the Government as to why inspite of these utterances Article 370 was going to be made a permanent feature of our Constitution. Sir, it has been said that article 132 which is not going to apply to Jammu and Kashmir and thus curtail the jurisdiction of the Supreme Court can be taken care of by article 136 of the Constitution. If you look to article 132 of the Constitution, you will find that it is mandatory. Article 132 (2) says that whereas the State High Court has refused to give a certificate, the Supreme Court may, if it is satisfied that the case involves a substantial question of law as to the interpretation of this Constitution, grant special leave to appeal from such judgment, decree or final order. Thus article 132 is mandatory whereas article 136 is discriminatory. As I have no time at my disposal, I cannot read out article 136. The Hon. Members can find this for themselves.

Then another thing, somebody has interrupted, the then hon. Defence Minister has asked: why are we delving into the past. Sir, past has its bearings on the present which will again be born in the womb of the future. Sir, we are concerned about the past because it has got its direct impact on the present.

I have moved a substitute motion that if you are going to give the residuary power to the State of Jammu and Kashmir, then that same privilege should also be extended to other States. It is being said that this will give rise to disruptive tendency and it will disrupt our Nation. Sir, Nation is not a menagerie or an animal farm where the Prime Minister has the whip in hand. A Nation always consists of free individuals and free units. And, therefore, in the name of disruption of Indian Union you cannot stop

other States from seeking the same rights and same privileges which are being conceded to the State of Jammu and Kashmir. I am strongly of the view that if more power is given to the States, they will develop their own individuality and personality and such States will strengthen and make India strong instead of remaining like bloated Panchayats or district boards.

A peculiar feature of this accord is that Sheikh Abdullah should be called, should be styled as Wazir-e-Azam. If it satisfies his ego, then I have no objection. But, if Sadar-e-Riyast could be changed to Governor, then, what is the reason, what is the *raison d'être* for the Chief Minister of Kashmir to claim for himself the title of Wazir-e-Azam. Apart from that it will have two Prime Ministers in our country. It is the thin end of the wedge. He still claims special status; but special status for what if the integration is conclusive and irrevocable. It will be for the Government spokesmen to explain. Sir, I am concluding with the remarks that the dramatic suddenness with which the accord has been presented in the House, I take very strong exception to it. The Parliament has, at no stage, been taken into confidence. Mirza Afzal Beg and Parthasarthy were acting as if they were two plenipotentiaries of two independent nations. I would like to know, where was our Home Minister then?

Why was the Home Minister not consulted at any stage? Sir, according to me the Prime Minister wants to make the accord an election stunt. She would claim that she had solved the Bangladesh problem, even though today, it is a thorn on the flesh of India. Let me say this—I never mince words. In regard to Kashmir, she would claim that what her father could not achieve, has been achieved by her. But what has been achieved? It is a continuing process which in future will lead to further dis-integration and which will never attain the objective which

[Shri Surendra Mohanty]

it aims at However, Sir, since it is hoped that the accord is going to ring the final curtain on this tragic drama, I welcome this accord with this proviso that the kind of autonomy which has been conferred on the State of Jammu and Kashmir should also be extended to other States If it can be conferred on Jammu and Kashmir why not on Tamil Nadu why not on Orissa and why not on West Bengal? Therefore, Sir, I welcome it only from that point of view with the hope that it will lead to the emergence of the State as distinct political entities and units not as some animals in the menagerie called the Indian Nation

17.32 hrs

[Mr Speaker in the Chair]

MR SPEAKER There are many Members on this side We have one hour left How much time Government would like to take?

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K RAGHU RAMAIAH) Half-an-hour

MR SPEAKER I do not think the remaining half-an-hour will be enough for that

श्री श्याम नन्दन मिश्र (बेगुमराय)

तब हम लोग बल बालेंगे ।

अध्यक्ष महोदय आज यत्न कीजिये ।

आज आपने फैसला किया था कि इसको

खत्म कर देंगे ।

SHRI ATAL BIHARI VAJPAYEE We are holding our all India Session and the next meeting will begin at 6 P.M We have arranged the programme in that manner If the time is extended, I will have to be in the House

SHRI K RAGHU RAMAIAH. I would like to submit this for your consideration and for the consideration of the House Every day, we are cutting into the Demands for Grants This is a very important thing Now, what I suggest is that, Members from the Opposition will get a chance and some of our Members will also get a chance Let us complete this today. If it is to be continued again tomorrow, then, it means, we will be cutting into everything else

SHRI SHYAMNANDAN MISHRA We have said that if the Government wanted it the debate could be dispensed with or postponed to the last day of the Session Government has fixed this debate We want it to be a meaningful debate This can go over to the next day How can we accommodate all the speakers within 15—20 minutes?

SHRI SYED AHMED AGA (Bara-mulla) We can postpone it because no Kashmiri has spoken

MR SPEAKER Mr Vajpayee, if you want I can give you time After Mr Aga I can call you

SHRI ATAL BIHARI VAJPAYEE I have already spoken

SHRI SHYAMNANDAN MISHRA None of the Kashmiri has spoken on this We would like to hear Shri Kushok Bakula also I can go over to the next day

SHRI K RAGHU RAMAIAH, We will sit one hour more and complete it

SHRI SHYAMNANDAN MISHRA: Not today One hour tomorrow

SHRI K RAGHU RAMAIAH At this rate, it will go on for many hours It is better to sit and finish it.

**SHRI ATAL BIHARI VAJPAYEE:**  
 If it cannot be finished in one hour tomorrow, how can it be finished in one hour today?

**SHRI K. RAGHU RAMAIAH:** He is of a different view because he has already spoken.

**SHRI ATAL BIHARI VAJPAYEE:**  
 I have given notice of a substitute motion. I would like to press it. I would very much like to be in the House when the Prime Minister replies to the debate. I have to be in the party session at 6 P.M. Let this either be finished by 6 P.M. or let the debate be extended till tomorrow.

**MR. SPEAKER:** Your party session is going the whole night.

**SHRI ATAL BIHARI VAJPAYEE:**  
 No, the President is to deliver his address at 6 P.M.

**SHRI K. RAGHU RAMAIAH:** Shri Vajpayee's position in the party is such that they will wait for him.

**SHRI SHYAMNANDAN MISHRA:**  
 If the usual time of adjournment is 6 P.M. we should stick to it, particularly when an important organisation is having its annual session.

**SHRI SYED AHMED AGA:**

مجلسِ عام سے آگے نہیں نکالیں گے۔

اور مجلسِ عام سے آگے نہیں نکالیں گے۔

اور مجلسِ عام سے آگے نہیں نکالیں گے۔  
 اور مجلسِ عام سے آگے نہیں نکالیں گے۔  
 اور مجلسِ عام سے آگے نہیں نکالیں گے۔

This is how the Prime Minister of India, the leader of India has acted. She has acted with foresight. She has looked far into the future and she has brought us to this stage.

I have heard what people have been talking about. Kashmir, as if Kashmir is just a piece of land with its mountains, with its trees, its water, its greenery. That is certainly not Kashmir; Kashmir means the people of Kashmir. The Instrument of Accession was there

because the people of Kashmir forced the Maharaja to sign it because Kashmir is wanted to become a part of India.

It was as far back as 1938 that we started a change in our thinking. The credit for that goes to Sheikh Abdullah. Sheikh Abdullah trained Kashmiris into thinking that the two-nation theory was wrong. He trained Kashmiris to understand that the partition of India would lead to further trouble. He trained them to understand that if they are oppressed by Muslim jagirdars and landlords they are also oppressed by Hindu jagirdars and landlords. Both the Kashmiri Hindu and the Kashmiri Muslim are oppressed. The quarrel is not between the Muslim and the Hindu; the quarrel or the differences are between the rich and poor. It is the poor who have to be enabled to catch up and go ahead. This is how Sheikh Abdullah trained the people and that was precisely why when Mr. Jinnah came to Kashmir when he had almost succeeded throughout India, he had to go back. When this trouble was going on between Hindus and Muslims, the Hindus in other States said: 'All right; let it be partitioned we can get rid of them'. It was at that time, when he had succeeded in projecting that way of thinking that he came to Kashmir, but he had to go back because every Kashmiri was trained in thinking that it was not a Hindu-Muslim problem, but a problem of the rich vs. the poor. The foreign rulers had oppressed us; foreign rule had not enabled us to catch up and progress. It was therefore that we got rid of foreign rule. With the foreign rule gone, we in Kashmir could only progress in a secular India and not in Pakistan. Therefore, the people of Kashmir forced the Maharaja, who was still undecided whether he should go to Pakistan or to India or remain independent, to accede to India. In that indecision Kashmiris rose as a people and asked Sheikh Abdullah to see that they acceded to India. I wanted

[Shri Syed Ahmed Aga]

Atal Bihari Vajpayee to be corrected on his point. He thought that it was not the Kashmiri people who had acceded but it was the instrument of accession signed by the Maharaja that had given the territory which must be protected. It is certainly not that. It is not the territory that you protect that matters. It is the people of Kashmir who want to be here with you for ever. This accord has enabled everybody to be clear about certain things. Because of the coming in of Sheikh Abdullah the doubts that had been created about accession had been cleared. There is no more any case for Pakistan at international forums. They could not go about it again. It has been reduced to the status of a domestic matter. Plebescite Front has become irrelevant. It has been established beyond any doubt that Kashmir continues to be an integral part of India.

There is a storm in a tea cup about article 370. 92 out of 97 entries in the Union List had been extended to Jammu and Kashmir. A time may come when that article will be irrelevant. To talk of article 370 is only to divert attention. There is nothing in that article. Article 370 and Sheikh Abdullah are not like giants in the Arabian Knights who could lift Himalayas on the one hand and Karakoram on the other hand.

While talking about autonomy, they must be clear of one thing. Why do Kashmiris want accession to India? Because they wanted to implement the Naya Kashmir doctrine, socialist ideals. It was not possible in Pakistan. Jagirdars and landlords were controlling things. If local autonomy is used for making labour laws more liberal, for giving some advantage to the people of Kashmir. I do not think you must grudge it because from the base of our heart we wanted a socialist economy. The first thing that Sheikh Abdullah did when he came to power in 1947 was to implement land reforms 4.50.000 acres of land went to the tillers. He took this land from Jagirdars and landlords. The

Muslim landlords in Kashmir and the Hindu landlords in Jammu combined and started an agitation. In Jammu it took the name of Praja Parishad agitation. It was actually the agitation of landlords against land reforms. This was given a different colour by the Intelligence officer Mallik and he misreported which Atal Bihari Bajpayee has quoted; it was given a wrong basis. Sheikh Abdullah was provoked by unsympathetic attitude of some people towards the measures he was taking in order to curb those elements, the landlords.

It was only the agitation against land reforms that he was trying to curb and he was mis-quoted here. When all that happened, he naturally put it down. I can understand that things went wrong and misunderstanding followed. Now we are bringing back Sheikh Abdullah and those people who went away from us are coming into the main stream and they are helping us to go ahead.

It was said that there was a news item according to which Sheikh Abdullah did not agree with the newsman's view that Mr. Bhutto's call amounted to an interference in India's internal affairs. Much was said about it, but that is not correct. The correct thing is what he has said today, namely that Bhutto should mind his own business, that he has no business here, that he should leave us alone. Our attention should not go to what a newspaperman or somebody else says because he might have been quoted out of context.

There was another news about Pak troop movement across the borders. Why did this not engage the attention of Mr. Vajpayee? He should have been perturbed by this rather than anything else. There was movement in Kotli and on the Mirpur side. Our attention should go to that. The U.S.A. has given arms aid to Pakistan and the object is to see that our normalisation process is delayed and hurdles are placed on it.

These troop movements are further proof of the attitude which Pakistan is developing with regard to the normalisation process. We want the normalisation process in this sub-continent but the United States does not want it. Therefore, they are giving arms to Pakistan and Pakistan now shows that she also does not want normalisation.

I think the main concern of Atal Bihariji should have been the establishment of the base at Masera and at Gowder in the Arabian Sea, through which oil comes to us. In an emergency there can be a hurdle to the coming of oil to this country. These are matters which should draw our attention and not article 370 or a little more relief given under the labour laws.

Shyam Babu was very eloquent with regard to the ending of the emergency. I am a small person, but I am of course against the ending of the emergency more particularly when troop movement is there, when the *Cradle of Erotica* is in Calcutta. These are the things he should have pointed out not article 370. I think when they talk about other things it is only to divert our attention.

On the 6th March, there is going to be march on Parliament. Is that not a matter of concern? The army is being asked to disobey, the entire police is being asked to disobey and rebel, the entire civil service is being asked to disobey orders. Shyam Babu was saying that half a million would march. How much money does it need. Where does that money come from? Who is going to pay for half a million people to come and stay in Delhi and march on Parliament? The money is coming from the United States, the proof of which is that only a few days ago a cheque was received...

**SHRI ATAL BIHARI VAJPAYEE:** His own party had been organising rallies in Delhi. Does he mean to say that the money for it came from the Soviet Union?

**SHRI SYED AHMED AGA:** What about that cheque which came for Mr. J. P.? It was a foreign cheque. Where has it come from?

**SHRI ATAL BIHARI VAJPAYEE:** Let him prove the charge that money is coming from America. I challenge him. This cannot be allowed to go unchallenged. (*Interruptions*)

**श्री हुकम चन्द कछवाय (मुर्तना) :**  
यह रेकार्ड में निकाला जाय ।

**श्री अटल बिहारी वाजपेयी :** नहीं, अध्यक्ष जी, आप मुना इन्हें क्या कहा ? यह कह रहे हैं कि दिल्ली में जो प्रदर्शन हो रहा है 6 मार्च को उसके लिये अमरीका से पैसा आने वाला है ।

**श्री राम सहाय पांडे :** मन्च ई बड़ी कड़वी होती है ।

**श्री अटल बिहारी वाजपेयी :** मूर्खता की बातें न करो । यह कहना कि अमरीका से पैसा आया है या सी. आई. ए. से पैसा लिया है. यह देश भक्ति को चुनौती देना है । इन्होंने कहा कि 6 मार्च को जो प्रदर्शन हो रहा है इसके लिये अमरीका से पैसा आ रहा है । इनको अपना यह आरोप वापिस लेना होगा । और अगर इनको पता है कि अमरीका से पैसा आ रहा है तो सरकार रोकती क्यों नहीं ? अमरीका को प्रॉटेस्ट क्यों नहीं करती है ? जो पैसा ले रहे है उनको क्यों नहीं पकड़ती है ? अध्यक्ष जी, यह शब्द इनको वापस लेने होंगे, और अगर वापस नहीं लेते हैं तो आप एममंज करिये ।

**MR. SPEAKER:** A number of times I have requested all the parties not to throw such accusations and counter-accusations at each other.

**श्री श्यामभद्रन शिखर :** ऐसी बेहूदा बातों का हम जवाब देने है ? इसको आप निकलवाइये, उनको कहिये कि विदग्धा करें ।

श्री सैयद अहमद आगा : मैं अखबार में पढ़ा। इन्होंने भी अखबार में पढ़ा होगा उड़ीसा असेम्बली में यह कहा गया कि जे० पी० साहब के खर्च के लिये चैक प्राये हैं।

(व्यवधान)

मैंने यह कहा कि यह पैसा कहा में आता है ?

श्री श्यामनन्दन मिश्र : हम लोग भी फिर इसी तरह जा खबरे अखबारों में छपती हैं उनको यहाँ रख ? कहीं किसी स्टॉप अखबार में कोई बात छपती है ना बिना सोचे समझे यहाँ कह दी जाय।

श्री हुकम चन्द कछवाय : मैं अखबार में पढ़ा है कि आगा साहब पाकिस्तान के एजेंट वह पाकिस्तान में पैसा लेते हैं।

श्री अटल बिहारी वाजपेयी : श्री जय प्रकाश नारायण पर यह आरोप लगाये जा रहे हैं और प्रधान मंत्री यहाँ बँधी हुई हैं। कश्मीर की चर्चा हो रही है उममें जयप्रकाश नारायण कहा में प्राय ? और इन्होंने अखबार में पढ़ा कि श्री जयप्रकाश के पास अमरीका से चैक आते हैं।

अध्यक्ष महोदय : जिन बातों में तलखी पैदा हो उसको आप न कहें।

श्री सैयद अहमद आगा : मैं इसलिये उसका जिन किया ऐसा हो सकता है कि कल कश्मीर में भी इस तरह की हरकतें हों। इन हालात में अमरजोमी का खत्म करना गलत है।

श्री हुकम चन्द कछवाय : यह पाकिस्तान के दस्तावेज हैं वहाँ में पैसा लेते हैं।

श्री अटल बिहारी वाजपेयी : आगे देखिये इन्होंने क्या कहा।

श्री हुकम चन्द कछवाय : मैं भी कह रहा हूँ कि पाकिस्तान के एजेंट हैं।

अध्यक्ष महोदय : अब देखिये यहाँ भी इस तरह की बातें कह रहे हैं जो कि नहीं कहनी चाहिये।

श्री अटल बिहारी वाजपेयी : यह वापस न लेंगे।

SHRI S A SHAMIM Sir, I want these allegations to be expunged Every time the Jan Sangh people want to accuse the Muslim members saying that they are doing this or that. (Interruptions)

SHRI ATAL BIHARI VAJPAYEE He is accusing J P of being under American influence (Interruptions)

SHRI SYED AHMED AGA I am an elected representative and I have a right to speak (Interruptions) So they should not be allowed to make so much noise, you should allow me to speak (Interruptions)

SHRI SURENDRA MOHANTY Sir, I rise on a point of order I submit that you in your wisdom had said that this gentleman should withdraw the allegation that Shri Aga is a Pakistani agent and Shri Aga should withdraw his remarks about J.P. (Interruptions) You, in your wisdom advised both sides to withdraw their calumniating remarks. But the Prime Minister and the Minister of Parliamentary Affairs waved their hands at Mr. Aga directing "do not withdraw"

MR SPEAKER Members should void remarks against each other

SHRI SURENDRA MOHANTY. Sir, I rise on a point of order

and not a point of order

MR SPEAKER Members should SHRI SURENDRA MOHANTY Sir, you are the Speaker and you are controlling the proceedings of the House

MR SPEAKER Please sit down.



**SHRI SURENDRA MOHANTY:**  
This is no ruling.

**MR. SPEAKER.** There is no suggestion of a point of order kindly sit down. *E.*

**SHRI SURENDRA MOHANTY:**  
Who is presiding and conducting the proceedings of the House? Don't be brow-beaten by the Prime Minister. I have been chosen by the people; I did not come here like a 'chancha'.

**श्री जनेश्वर मिश्र :** (इलाहाबाद)  
अध्यक्ष महोदय, क्या आप प्रधान मंत्री की तरफ देखकर रुलिंग दिया करेंगे ?

**MR. SPEAKER** Order please

**श्री जनेश्वर मिश्र :** अ इशारा कर रही थी कि बिदट्टा न करो। यह समझी ब्यवस्था के लिये चुनौती है।

**MR. SPEAKER** Mr. Agha please conclude.

**श्री जनेश्वर मिश्र :** जो कुछ हुआ है क्या उसके लिये आप रुलिंग नहीं देंगे ?

**श्री श्यामनन्दन मिश्र :** ' ऐसी बेहदी बातों को वापस लेते है या नहीं लेते है ?

**अध्यक्ष महोदय :** आप ऐसी बातें करते हैं जैसे कि मुझे हुकम दे रहे हो। मैंने ऐडवाइज किया है कि ऐसी बातें दोषों तरफ से न कही जाये जो कि इर्रिटेटिंग लगे।

**श्री श्यामनन्दन मिश्र :** इनको अपने शब्द पास लेने पड़ेंगे। यह क्या मजाक है। आँखें देख कर बातें कर रहे ह।

(ब्यवधान)।

**MR. SPEAKER:** I have advised both sides not to exchange words

**श्री अटल बिहारी वाजपेयी :** का वापस मालिग यह है कि अखबार में जो भी छपे वह मदन में कहा जा सकता है, उसका हवाला दिया जा सकता है।

**श्री श्यामनन्दन मिश्र :** अगर ऐसा होगा, तो कल यहा अखबार बग जायेगा।

**अध्यक्ष महोदय :** आर्ट प्लीज, आप राज अखबार में कोट करने है।

**श्री अटल बिहारी वाजपेयी :** कोट करना अलग बात है (ब्यवधान)।

**अध्यक्ष महोदय :** इस बात के लिये मैं आप सबसे निवेदन करूंगा कि तलखी पैदा करने वाली बातें न करे और इसके पहले भी मैं इस बारे में रुलिंग दो थी।

It is not that I don't want unparliamentary words to be withdrawn; but he has not used any unparliamentary words. You cannot say that I have failed to give a ruling.

**श्री श्यामनन्दन मिश्र :** इस पर आप रुलिंग दे।

**अध्यक्ष महोदय :** रुलिंग की क्या जरूरत है

**श्री श्यामनन्दन मिश्र :** आप बिलबर रुलिंग दीजिये नहीं ना जो अखबार में निकलता है उसको हम यहा कोट करेंगे कल सुबह से। हम दिखला देंगे।  
(ब्यवधान)

**अध्यक्ष महोदय :** इसमें कोई कोई रुलिंग की जरूरत नहीं है।

No question of ruling on it.

Mr. Aga, may I advise you, when you speak, not to create unnecessary irritation? (Interruptions).

श्री श्यामनन्दन मिश्र : जो रद्दी अखबार है और उनमें जो इनके खिलाफ बातें निकलती हैं, उन सारी बातों को हम यहां कोट करेंगे . . . (व्यवधान) . . . इनके पैसे से जो अखबार निकलते हैं, उनमें ऐसी बातें निकलवाते हैं और फिर यहां कोट करते हैं ।

SHRI K. RAGHU RAMAIAH: The Opposition leaders, some of them, have objected to what my colleague has read from the newspaper. He has quoted the newspaper. Every day, even the privilege motions are based on what is alleged to have been published in the newspaper. If it is the wisdom of the House that we should not quote from newspapers, let us follow it from tomorrow. Both sections of the House will cooperate.

SHRI SHYAMNANDAN MISHRA: There are categories of things which can be quoted from the newspapers. If these things are to be quoted from the newspapers, we will be at perfect liberty to quote such things from the newspapers. (Interruptions).

SHRI SYED AHMED AGA: The matter is very simple if they only care to listen to me. What I said was that this accord with Sheikh Abdullah is promising and something very bright. Therefore, I quoted three instances. (Interruptions).

श्री जनेश्वर मिश्र : एक तरह से समझौता हो जाता कि श्री कछवाय ने जो इनके खिलाफ आरोप लगाया है कि ये पाकिस्तानी दलाल हैं, उनको वे वापस लेने को तैयार थे और इसी तरह से ये भी अपनी शब्द वापस ले लेते लेकिन इस चीज में, हम लोग देख रहे हैं, कि प्रधान मंत्री ने इशारा किया और उन्होंने शब्द वापिस नहीं लिये । तो अध्यक्ष महोदय, क्या प्रधान मंत्री के इशारे पर इस सदन को चलाना चाहते हैं और उनके इशारे पर अपनी रुलिंग देंगे ?

MR. SPEAKER: If you want my ruling on it, it will be too sweeping if I say, nothing can be quoted from the newspapers. It will not be in the interest of both the sides of the House.

SHRI SHYAMNANDAN MISHRA: Such things should not be quoted from the newspapers.

MR. SPEAKER: I advised him not to irritate others and, in such matters, to avoid making such remarks. I told him a number of times. I said, you should not hurl such charges at each other. But if you want me to give a ruling that nothing can be quoted from the newspapers, that will not be in the interest of the House. That is to be decided on merits. If he says something unparliamentary, then only I can ask him to withdraw it. He has only made an observation. All that I can do is, in case of counter-accusations, to ask the hon. Member to avoid it.

SHRI SHYAMNANDAN MISHRA: No question of avoiding it. Whatever he has said has to be expunged.

MR. SPEAKER: I cannot do it. It is not unparliamentary. . . .

DR. KAILAS (Bombay South): What does he want Shri Aga to withdraw? Mr. Mishra does not know as he was not in the House when Shri Aga was speaking. Let Mr. Mishra tell us what he wants him to withdraw. (Interruptions).

श्री सैयद अहमद आगा : चूंकि शोर मच गया इसलिये इन्होंने कुछ और ही मेरी बात में मानें निकाले, वे निकाले जो उसके मानें नहीं थे । अब भी ये शोर मचा रहे हैं । मैंने कहा कि काश्मीर में एकाई हो गया है और इसको कामयाब करना है । यह फ्यूचर की बात भी है । लेकिन मैंने तीन मिसालें इनको दी हैं । मैंने कहा कि वेस्ट बंगाल में, कलकत्ता में कुरान को यू० एस० आई० एस० ने छपा और छाप कर दुकानों पर, मजदूरों को दे दिया ताकि ग्रासर्स इनका

इस्तेमाल कर सकें। अ. इसका क्या नतीजा निकल सकता था इसको आप जान सकते हैं। दूसरे मैंने यह कहा कि उड़ीसा में चीक विहाने डिप्लेयर किया है कि एक चैक आया फारेन में जे० पी० की रिसैजशन के लिये। यह मैं नहीं कह रहा हूँ, उन्होंने कहा है। यह अमरीका से, सी० आई० ए० से आया। मैंने यह कहा कि ऐसी हरकतें अगर सी० आई० ए० कश्मीर में करे तो किया कराया काम खराब हो सकता है। अगर इनको सी० आई० ए० से बहुत प्रेम है तो मुझे कुछ नहीं कहना है और तब मुझे ये जो कुछ भी चाहें कहें, मुझे कोई फर्क नहीं पड़ता है। मैं जो कुछ हूँ, हूँ।

एक आखिरी बात कह कर मैं खत्म करता हूँ। बात यह है कि इन्होंने बहुत क्रोशिश की है, ग्रांड एलायंस बनाया, ग्रांड एलायंस बनाया लेकिन इन्के हाथ कुछ नहीं लगा . . . (व्यवधान) . . .

श्री श्यामनन्दन मिश्र : ये फिर दोहरा रहे हैं, रिपीट किया जा रहा है . . . (व्यवधान) . . .

श्री अटल बिहारी वाजपेयी : जे० पी० वः लिये सी० आई० ए० से चैक आया। ये यह कह रहे हैं। मानित करें कि आया . . .

MR. SPEAKER: May I request that both sides should avoid such observations. They should not irritate each other.

SHRI K. RAGHU RAMAIAH: I had a talk with Mr. Vajpayee and others. The suggestion has been made that we adjourn now and the time we shall spend on this tomorrow will be added after 6 O'clock and the House will sit late to that extent, so that we compensate for the loss of time. I hope it will be acceptable to all others. Otherwise, we have to sit late today and finish.

श्री संयुक्त अहमद आगा : मैं अ. वः में यहो कहना चाहता हूँ इतना ज़िगरां ता करने हैं सभी मेहरे दरबशां को तजब सबको किमत में सहर् हो यह ज़रूरी ता नहों।

श्री श्यामनन्दन मिश्र : इनको विदवा करता होगा। यह नहीं चढ़ता।

SHRI PULO MODY: The matter is under our consideration. That is what the Government usually says. So, we will think about it tomorrow.

SHRI K. RAGHU RAMAIAH: You are not the Government.

श्री अटल बिहारी वाजपेयी : मैंने आपसे प्रार्थना की थी कि 6 बजे स्थगित सदन को आप कर दें क्योंकि हमें अपने अधिवेशन में जाना है। मेरा एक सच्चेटोट्यूट मोशन और उसको मैं पेश करना चाहता हूँ। इस पर चर्चा चल सकती है। अगर ज़रूरी हुआ तो मैं शांति को और आगे ब्रेट जावेगे।

MR. SPEAKER: Now it is fifteen minutes past Six O'Clock. There is no use continuing. We will have the remainder of the time tomorrow, and if more time is taken than that, to that extent the House will be extended at the end.

SHRI SHYAMNANDAN MISHRA: We do not agree. We will also consider the business before the House tomorrow.

SHRI ATAL BIHARI VAJPAYEE: There can be no question of dictation. It is a question of accommodation.

SHRI K. RAGHU RAMAIAH: We are already running against time. This is the Budget Session. Certain fiscal things have to be passed. Therefore, I want the cooperation of all of you. Tomorrow we have to sit beyond 6.00 p.m., such time as is taken by this will be added at the end. On that condition we agree to adjourn now. Otherwise, we have to sit now and complete our work. I am sorry there is no other way.

SHRI ATAL BIHARI VAJPAYEE  
The hon Minister has made a very  
reasonable proposal We are always  
agreeable to reasonableness

MR SPEAKER I hope we agree to  
reasonableness

SHRI PILOO MODY The matter  
is still under consideration You may  
adjourn the House If you do not ad-  
journ the House I am leaving in any  
case

MR SPEAKER We have to decide  
today We are short by one hour  
That will be completed tomorrow and  
then we resume our other business

We adjourn to reassemble tomorrow  
at 11 00 a.m

18.19 hrs

*The Lok Sabha then adjourned till  
Eleven of the Clock on Tuesday  
March 4 1975/Phalguna 13 1898  
(Saka)*