

LOK SABHA DEBATES

LOK SABHA

Wednesday, February 26, 1986/Phalgun
7, 1907 (Saka)

The Lok Sabha met at Eleven of
the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

[Translation]

Implementation of Punjab Accord

*41. SHRI NARSINH MAKWANA† :
DR. A. K. PATEL :

Will the Minister of HOME AFFAIRS
be pleased to state :

(a) the steps taken to implement the
Punjab Accord concluded between Prime
Minister and late Shri Harchand Singh
Longowal;

(b) when the Mathew Commission
submitted its report to Government and
whether Government accepted it;

(c) the nature of hindrances erupted in
the implementation of this Accord and the
steps being taken to remove them;

(d) the time by which the above agree-
ment will be fully implemented;

(e) whether the recommendation of the
Mathew Commission to appoint a fresh
Commission has been accepted by Govern-
ment; and

(f) if so, by what time the new Commis-
sion is likely to be appointed ?

THE MINISTER OF HOME AFFAIRS*
(SHRI S. B. CHAVAN) : (a) to (f). A
statement is given below.

Statement

Out of 11 items covered by Memorandum
of Settlement signed by Prime Minister and
late Sant Harchand Singh Longowal, so far
the following items have been fully imple-
mented :

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|---------|--|
| Item-1 | Compensation to innocent
persons killed. |
| Item-2 | Army recruitment. |
| Item-3 | Inquiry into November
incidents. |
| Item-4 | Rehabilitation of those
discharged from the Army. |
| Item-6 | disposal of pending cases. |
| Item-8 | Centre-State relations. |
| Item-10 | Representation of minori-
ties. |

2. The position in respect of items so
far not fully implemented is as follows :

Item-7 : Territorial Claims

Paragraph 7.1 and 7.3 of the accord are
inter-connected Paragraph 7.1 deals with
transfer of Chandigarh to Punjab and
transfer of certain areas of UT Chandigarh
to Punjab and Haryana respectively. Accord-
ing to paragraph 7.3 the actual transfer of
Chandigarh to Punjab will take place simul-
taneously with transfer of areas in lieu of
Chandigarh to Haryana.

Mathew Commission which was appointed
pursuant to paragraph 7.2 of the Accord
submitted its Report on 25th January, 1986.
The Commission found that it cannot
recommend transfer of any Hindi-speaking
areas of Punjab to Haryana because the
villages and towns in the Fazilka-Abohar
areas of Punjab identified by it as Hindi-

speaking do not satisfy the criterion of contiguity. The Mathew Commission has observed that it is for the Government of India to take such suitable steps as it deems fit including the appointment of a Commission, to give effect to the general intention of Smt. Indira Gandhi to transfer some Hindi-speaking territories in Punjab to Haryana in lieu of Chandigarh. Pursuance to this, the Home Minister has held discussions with the Chief Ministers of Punjab and Haryana with a view to deciding the further course of action.

As regards other items, action regarding an All India Gurudwara Bill (item-5) is under way, a Tribunal has been appointed to adjudicate the claims regarding share in the waters of Ravi-Beas system and construction of the SYL canal is being monitored (item-9) and various steps are being taken for promotion of Punjabi-language (item-11).

SHRI NARSINH MAKWANA : Mr. Speaker, Sir, the Home Minister had held talks with the Chief Ministers of Punjab and Haryana on the question of transfer of some villages to Haryana in lieu of Chandigarh. I want to know from him whether some agreement is likely to be reached between the two Chief Ministers?

SHRI S. B. CHAVAN : Sir, during the talks that were held between the two Chief Ministers, I had impressed upon them to find a way out to resolve this issue. They met twice but no concrete proposals have emerged so far. It would be a better course if they come to a mutual agreement.

SHRI NARSINH MAKWANA : Mr. Speaker, Sir, I want to know from the hon. Minister whether the Tribunal appointed to adjudicate the claims regarding Ravi-Beas waters is acceptable to both the sides or not. Another thing which I want to know is what arrangement has been made for monitoring the construction of the SYL canal and by when this work is likely to be completed?

SHRI S. B. CHAVAN : Sir, a Bill on sharing of waters was introduced in the House yesterday only and if you go through the Bill, you will find that it will be binding on both the States. As regards the question about the construction, the Water Resources Department is doing its monitoring,

[English]

DR. A. K. PATEL : Did the Mathew Commission desire last year to have a language census in Abohar, Fazilka and Kandukheda and the Government did not agree to it? Then, why did Government permit the same language census just ten days before, on 26th January 1986—when the atmosphere was surcharged—resulting in great bitterness between Punjab and Haryana?

SHRI S. B. CHAVAN : The first part of the question is not correct.

SHRI CHARANJIT SINGH WALIA : Mr. Speaker, Sir, may I ask the Minister whether the Rajiv-Longowal Accord was approved by Parliament. If so, was Parliament taken into confidence for changing the date of transfer of Chandigarh from 26th of January? May I know the persons responsible for the contempt of the House and the elements inside and outside Government who are trying to scuttle this Accord?

SHRI S. B. CHAVAN : So far as the Punjab Accord is concerned, the House was kept informed. There was no question of any approval of the House and therefore the question of any contempt of the House does not arise. The transfer of Chandigarh to Punjab is a matter on which the Government is fully committed. There is no question of going back so far as the question of transfer of Chandigarh to Punjab is concerned. But in the Accord itself, if the hon. Member would go through it, he will find that this is dependent on some of the Hindi speaking areas going to Haryana, in lieu of Chandigarh. And these two things have to happen simultaneously.

SHRI P. NAMGYAL : Mr. Speaker, Sir, the Mathew Commission could not recommend it because of non-existence of contiguity as village Kandukhera is coming in between Abohar-Fazilka and Haryana. In the light of this may, I know whether the Government at any stage considered to have a corridor either through that village or through Rajasthan, being the neighbouring State, to have a link between Abohar-Fazilka and Haryana with a view to enabling to implement the Accord and Hindi speaking areas going to Haryana.

SHRI S. B. CHAVAN : If I remember correct, after the signing of the Accord, there was no such proposal which was put forth before the Government or before the Mathew Commission. But before the Punjab Accord was signed, there was some proposal at some stage but it could not be agreed to.

[Translation]

SHRI CHARANJIT SINGH ATHWAL : Mr. Speaker, Sir, the Census held in 1961 was also held under tension and that Census has not been accepted as correct to date. I am aware of it because my village also falls in that area. Census was held there twice thereafter, once in 1971 and then again in 1981. The Commission did not accept even the Census of 1981 as correct. It was because of this that the Government had again to conduct Census there under tension. Even the Census of 1981 was not accepted as correct although it was conducted by the Government employees. There may be a number of villages in Haryana, Himachal Pradesh and Rajasthan where majority of the population is Punjabi speaking. I want to know from the hon. Minister whether the Government would agree to conducting a fresh Census in the said villages if a demand to the effect that they want to be included in Punjab is raised tomorrow ?

SHRI S. B. CHAVAN : God forbid, if some commission is appointed and that commission makes the recommendation that a fresh Census is required to be conducted, then it is possible. Government did not conduct Census there on its own. If a commission recommends that conducting a fresh Census is necessary, it cannot be overruled.

SHRI CHARANJIT SINGH ATHWAL : Can the Government order a Census, if they so desire, even before the findings of the Commission are received, because in the present case the survey was conducted at the behest of the Centre ?

SHRI S. B. CHAVAN : I think the hon. Member is not fully informed. The Centre never said that Census should be conducted there. It was not the view of the Central Government, it was the Commission that had asked us whether we could help them in the event of their conducting a Census. We told

them that we were prepared to extend whatever assistance they wanted if they thought conducting of Census was necessary and it was in this light that the entire machinery of the Registrar General of India was placed at their disposal.

[English]

SHRI SOMNATH CHATTERJEE : Mr. Speaker, Sir, we are very anxious that the Punjab Accord should be fully implemented. We are very unhappy and worried also that there has not been implementation of the accord which has resulted in inflaming passions also and the extremists are gaining strength about which we are all perturbed and we are against that. The point is.....

MR. SPEAKER : Is there any reason for doing thing, if this does not happen ? Is there any reason that the terrorists should rise, more than that ?

PROF. MADHU DANDAVATE : Passions do not need any reason.

SHRI SOMNATH CHATTERJEE : The point is that the good agreement which has not been implemented is due to some drift, mishandling of the position. The agreement does not postulate that the transfer of territory should be restricted to Fazilka and Abohar. But somehow the Mathew Commission only went into that. The question is, some other areas will have to be given in lieu of Chandigarh. According to the reply, it seems that after the fiasco of the Mathew Commission, the only step that has been taken by the Government is that the Home Minister is having discussions with the Chief Ministers of Punjab and Haryana with a view to deciding the further course of action. We have seen how the Chief Minister of Haryana has indulged in chauvinistic.....

MR. SPEAKER : Please put the question. I am not allowing. This is diversion. Not allowed.

(Interruptions)

SHRI SOMNATH CHATTERJEE : This is a very sensitive matter. Therefore, I am putting it carefully. What is the concrete step that is being taken by the Government ?

Is there any time-frame fixed within which this implementation will be made and the exchange will take place ?

SHRI S. B. CHAVAN : First of all, I would like to remove the wrong impression that the hon Member has in his mind that the extremists are indulging in extremism or terrorism because of the non-implementation of the accord. (*Interruptions*) First of all, I think hon. Members must be aware of this. (*Interruptions*) Hon. Members must be aware of the fact (*Interruptions*). I think you will allow me now to reply. You have put the question, I have a right to reply. (*Interruptions*)

MR. SPEAKER : Order, order. I do not like this. You think it is your part to interject the proceedings every time. I do not like this.

SHRI S. B. CHAVAN : I can well understand the unpalatable part of reply you will get. I would like to remove the impression. Hon. Members must be aware of the fact that the extremists are totally opposed to the accord itself. So, there is no question of this portion not being done and that portion not being done. That is besides the point altogether. If the hon Member would go through the reply, he will find most of the points where the action was to be taken, have been implemented. Mathew Commission has given its report and in the report itself, they have said either the Government can consider bringing both the parties together for discussing the points with them or appointing another Commission. Before we take any further step, it is very necessary that we should discuss with the parties so that we do not again come to the same conclusion as the previous Commission had come. What needs to be done is a matter which will have to be discussed with them and that is exactly what we are discussing.

THE PRIME MINISTER (SHRI RAJIV GANDHI) : I will add one word to that. If you look at the accord that was signed, if I remember correctly, para 7 which deals with the specific question of Chandigarh, we have not deviated from that. We were, according to that accord, required to set up a Commission and go according to what the

Commission says. Unfortunately, the Commission has given a report which did not make it possible for us to take certain action on the 26th January as we would have liked to.

PROF. MADHU DANDAVATE : It was anticipated.

SHRI RAJIV GANDHI : It was not anticipated. I do not anticipate what judges do in the Commission. You might be anticipating that. The only point that I am coming to is that there is no deviation in the implementation of the accord. It is according to what the Commission says. We are now doing precisely what the Commission has recommended. It has recommended that we should try to have a settlement between the two Chief Ministers or set up another Commission. We are looking at both the aspects. We have been in touch with both the Chief Ministers and after this process is hopefully concluded, we will take the next step soon.

SHRI DHARAM PAL SINGH MALIK : Our late hon. Prime Minister Mrs. Indira Gandhi had maintained that Haryana will get Hindi-speaking villages of Abohar and Fazilka areas of Punjab in lieu of Chandigarh and a corridor was to be provided through the land of village Khendu Khera to connect the said villages with Haryana. The present award also contains almost a similar language. It means that the wishes of the late Prime Minister can be fulfilled only when the villages of Abohar and Fazilka including the corridor through village Kendukhera are transferred to Haryana. So, Sir, in these circumstances may I know from the hon. Minister whether the transfer of Chandigarh and the Hindi-speaking areas of Abohar and Fazilka will be dealt with as a package deal to give justice to Haryana including the corridor through village Kendukhera.

MR. SPEAKER : It is again a repetition. You could have put a question whatever you liked.

SHRI DHARAM PAL SINGH MALIK : My question is : whether the transfer of Hindi-speaking villages of Abohar and

Fazilka including the corridor through village Kendukhera to connect them with Haryana will be dealt as a package deal with the transfer of Chandigarh.

SHRI S. B. CHAVAN : As far as the question of providing a corridor, I have already replied to one hon. Member as to what the position is. After the signing of the accord, no such proposal was discussed and if the hon. Member would go through the accord itself, he will definitely come to know that transfer of Chandigarh and transfer of Hindi-speaking areas to Haryana—these two actions have to be simultaneous and it is provided in the accord itself.

Security of Indian Nationals in South Yemen

*42. **SHRI E. AYYAPU REDDY† :**
SHRI ANANTA PRASAD SETHI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether in recent internal disturbances in South Yemen, the residence of Indian Ambassador was attacked and several Indians were killed, injured and stranded;

(b) if so, the details thereof;

(c) the steps taken by Union Government to give protection to the life and property of Indian nationals in South Yemen;

(d) the steps taken to evacuate them from South Yemen;

(e) whether the question of payment of compensation to the bereaved families of the Indian killed has been taken up with the South Yemen Government; and

(f) if so, the outcome thereof ?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT) : (a) to (f). A statement is given below.

Statement

Internal disturbances in the People's Democratic Republic of Yemen began on the forenoon of 13th January, 1986. There

was a total breakdown of all normal channels of communications between PDRY and outside world from 13th to 27th January, 1986. While the fighting was an entirely an internal affair of PDRY a large number of foreign nationals present in that country including about 3000 Indian nationals were affected.

All possible efforts were made to get in touch with our Embassy in Aden through channels available with Soviet and British Governments. Their ships which happened to be in the vicinity of Aden were helping in the evacuation of foreign nationals from Aden and they agreed on our request to evacuate Indian nationals. Accordingly some 425 Indian nationals were evacuated from Aden to Djibouti on these ships between January 17 to 24. Simultaneously the Shipping Corporation of India was immediately asked to divert their cargo ships to Djibouti. Accordingly two ships—the Vishavadharm and the Vishavaumang were able to bring 69 and 63 Indian evacuees to Bombay on January 31 and February 7 respectively. A specially chartered Air India plane was also sent to Djibouti and 44 Indian nationals along with 110 from Bangladesh and Sri Lanka were evacuated by air on 27th January, 1986. More Indian nationals were evacuated by commercial flights arranged by their respective employers.

The Government of India also despatched an Indian Navy frigate to the vicinity of Aden in the last week of January to be available for assisting the evacuation process.

Through evacuees who came to Djibouti from Aden it was learnt that about 800 Indians were awaiting evacuation but the local authorities were reluctant to allow them to leave since their services were considered essential during that period.

The PDRY Ambassador in Delhi was requested to contact his Government immediately to allow our nationals to leave in view of the attendant risks. Since he was not able to get in touch with his Government we requested the Soviet Government to get in touch with our Mission in Aden as well as the PDRY Government to facilitate expeditious evacuation. We had kept in