

ment) Scheme, 1964 published in Notification No. G.S.R. 93 dated the 18th January, 1964.

- (e) The Employees' Provident Funds (Third Amendment) Scheme, 1964 published in Notification No. G.S.R. 126 dated the 25th January, 1964.
- (f) The Employees' Provident Funds (Fourth Amendment) Scheme, 1964 published in Notification No. G.S.R. 127 dated the 25th January, 1964. [Placed in Library. See No. LT-2383/64].
- (i) a copy each of the following Notifications under subsection (2) of section 4 of the Employees' Provident Funds Act, 1952:—
- (a) G.S.R. No. 1983 dated the 28th December, 1963 adding the paint and varnish industry to Schedule I to the said Act.
- (b) G.S.R. No. 67 dated the 11th January, 1964 adding the bone crushing industry to Schedule I to the said Act. [Placed in Library. See No. LT-2384/64].
- (iii) a copy of Annual Report of the Employees' Provident Fund Organisation for the year 1962-63. [Placed in Library. See No. LT-2385/64].

12.10 hrs.

[MR. SPEAKER in the Chair]

PUBLIC ACCOUNTS COMMITTEE
 NINETEENTH REPORT

Shri Tyagi (Dehra Dun): Sir, I beg to present the Nineteenth Report of the Public Accounts Committee on Appropriation Accounts (Civil), 1961-62 and Audit Report (Civil), 1963 re-

lating to Ministries of Commerce and Industry (now Ministries of Industry, International Trade), Community Development, Panchayati Raj and Co-operation, Economic and Defence Co-ordination and Education.

STATEMENT RE. SECURITY COUNCIL DEBATE ON KASHMIR

The Minister of Education (Shri M. C. Chagla): Mr. Speaker, Sir, may I, with your permission, make a short statement dealing with the debate that took place in the Security Council on Kashmir?

As the House knows, Pakistan went to the Security Council on two specific charges. One was that Kashmir was in open revolt and the other was that we were trying to integrate Kashmir with India. On the first, I think, it was practically accepted by the Security Council that if ever there was communal unity shown it was shown in Kashmir during those days. We pointed out that when the relic was lost all the communities mourned it and when it was found all the communities rejoiced and that far from the demonstrations being against India they were in support of India. On the second charge we pointed out that Kashmir was an integral part of India, legally and constitutionally, that the Resolutions on which Pakistan relied had become obsolete and that under no circumstances would India ever agree to the holding of a plebiscite.

Shri Raghunath Singh (Varanasi): A very good stand.

Shri M. C. Chagla: I think, we have laid the ghost once and for all of the holding of a plebiscite.

We also pointed out that if a plebiscite was held what the political repercussions would be. If the loss of the relic in Kashmir could produce serious riots 1,500 miles away in Khulna, it could not possibly contemplate the consequence of the holding of a plebiscite in Kashmir.

[Shri M. C. Chagla]

Now I should like to say a word about the debate that took place and first I would like to deal with the statement of the representative of the United Kingdom. I must confess that that statement came to me as a great surprise and as a great shock. We at least expected that if the United Kingdom did not support the cause of India, it would at least be impartial as between two Commonwealth countries. But we found that the statement of the United Kingdom representative was entirely partisan and supported the case of Pakistan.

An hon. Member: Shame.

Shri M. C. Chagla: I say this on three grounds. Firstly, Sir Patrick Dean made an astonishing statement that the question of the legality of the accession was unrealistic. I ask this House how can you decide the accession of a country except on legal grounds. And the accession was brought about according to the provisions of an Act passed by the British Parliament. Yet, here was the representative of the United Kingdom saying that to consider accession on legal grounds was unrealistic!

Secondly, we were surprised to find that throughout that statement there was no reference whatever to the aggression committed by Pakistan. Let us not forget that it was we who went to the Security Council with a complaint that Pakistan had committed aggression on us. And the British representative never made one mention of it.

But what made us really indignant was when the British representative tried to equate India and Pakistan with regard to our communal policy. According to the British representative, there was no difference in the way Pakistan behaved towards its minority and India behaved towards her minority. They forgot the raging, tearing campaign that Pakistan had carried on against India—the cry for *jehad*, the inciting of communal riots. And may

I say that the reaction in this Parliament, in the press and in the public had a very salutary effect on the situation? My hands were tremendously strengthened when I read of what hon. Members of Parliament, the press and the public here had been saying about the statement. It was because of this, if you study the subsequent debate, that the whole tone of the speeches which might have been against us was in a lower pitch. Take the speech of the United States representative. It was against us; but it was pitched in a much lower key.

Both the USSR and Czechoslovakia supported us. I wish to remove a certain misunderstanding which I have noticed in certain criticisms in this country, namely, that the speech of the USSR representative was not as strong this time as it was on the last occasions. If you read the speech of the representative of the USSR, you will find that he clearly states that the people of Kashmir have already decided to which country Kashmir will belong. Now, nothing can be clearer than this and the reason why the Russian representative did not go into the details of the case perhaps was that Russia, like other countries, was most anxious to have a consensus—I will just come to that shortly.

With regard to Morocco and Ivory Coast, they really tried to uphold the principle of self-determination. We pointed out that we ourselves were the staunchest supporters of the principle of self-determination, but self-determination had to be understood in the context of Kashmir; if Kashmir was a part of India, you do not have self-determination for parts of countries or for parts of people and if that were so, not only would India break up but many African and other countries would break up.

An hon. Member: Pakistan will break up.

Shri M. C. Chagla: If you accept self-determination in East Pakistan, I do not know what will happen.

Shri D. C. Sharma (Gurdaspur): UK will also break up.

Shri M. C. Chagla: UK will also break up.

But I do wish to say this because I have seen adverse comments against Ivory Coast and Morocco. Let us appreciate the fact that Pakistan could not persuade either the Ivory Coast or Morocco to sponsor a resolution which Pakistan wanted. To that extent these two countries stood by us.

Coming to the other countries, it is true that although the President (Brazil) worked very hard to bring about a consensus, his speech was against us. But when you look at Bolivia, Norway, even Nationalist China and France, you will find that these speeches revealed a getting away from the old positions. They may have referred to the old Resolutions but they did emphasize the fact that you must look to the realities of the situation, that you must have a new approach and that the passage of time had made a difference. Therefore, my opinion is that on the whole the debate was favourable to us.

I would just like to say one word about the consensus of a resolution because I see in the debate here a mention was made about it. We fully realised the difference between a consensus and a resolution. Our eyes were open and there was no question of a trap. A consensus which all the members were trying to bring about—and I emphasize the fact, including Russia and Czechoslovakia—was a consensus of eleven members of the Security Council and India and Pakistan. That means an agreement to which not only the eleven members of the Security Council would be a party to it but India and Pakistan would also subscribe to it. I realised from the beginning that the difference between the attitude of Pakistan and of India was so wide that a consensus would not be possible, but I was prepared to give all assistance and not to take up a rigid attitude. If such a settlement could be brought about, it would have

been for the first time in the history of the Security Council that such a thing could have happened. I must say that throughout our discussions Russia and Czechoslovakia were in contact with us.

If the consensus had been arrived at, we would have been a party to it. I made it clear that we believed in international ethics and morality and if I subscribed to the consensus I would loyally and faithfully stand by it; therefore, I would not agree to anything which went against our fundamental position. The main difference between Pakistan and ourselves ultimately resolved itself into this. I said that we are prepared to talk to Pakistan but first the talk must be about the communal situation, that tension must go and proper arrangement must be made to see that there are no more riots and that all these troubles must come to an end; it is only when an atmosphere of understanding has been established that we can discuss our outstanding differences. What Pakistan wanted was that we should go to the conference table on the basis of the old resolutions, which means plebiscite. I said that is a fundamental position to which India can never agree. And, therefore, the consensus did not come about.

I could say that if a resolution had been passed, it would have been under Chapter VI of the Charter, which is not mandatory but purely persuasive, and either Russia would have vetoed it or we could say, 'We do not accept the resolution'. But a consensus would have been binding on us. But I assure the House that I would not have agreed to a consensus which in any way undermined the position of India or militated against the stand we have already taken.

Now Pakistan went to the Security Council to get these two reliefs about Kashmir, and she wanted a definite interdict from the Security Council that we would not further integrate Kashmir. She failed to obtain either of these two reliefs.

[Shri M. C. Chagla]

And may I say one word about integration? I made it clear that whatever steps we had taken were in the interest of the people of Kashmir or for the welfare of the people of Kashmir. I said we will go on with that integration. I hope—the Prime Minister is here; he used the expression 'gradual erosion of article 370—I hope that erosion will be accelerated.

Shri Hari Vishnu Kamath (Hoshangabad): In this session.

Shri M. C. Chagla: I hope and trust that very soon article 370 will disappear from our Constitution.

Let us not forget that article 370 is in a part which talks of transitional and temporary provisions. I think the transitional period has been too long.

Therefore, in my opinion, Pakistan suffered a severe diplomatic reverse. She came to get a resolution. She could not get any member to sponsor such a resolution. Whether the mission was successful or not, it is for this House to say.

Thank you.

Shri Tyagi (Dehra Dun): Shri Chagla deserves our hearty congratulations on the brilliant manner in which he put up our defence.

Shri Hari Vishnu Kamath: What, according to the assessment of the leader of our delegation, what were the goings-on behind the scenes or other factors that brought about a change of attitude—he used the word 'unexpected'; I would say near perfidious—on the part of Albion, the UK? What influenced her pro-Pakistan stand in spite of the latter's unholy alliance and conspiracy with China? What were the goings-on behind the scenes, the factors—if he knows?

Shri M. C. Chagla: We must not forget that Pakistan is an ally of the UK and the US. We are not their ally. We are non-aligned, and we are proud of our policy of non-alignment. So that if there is a leaning on the

side of Pakistan, we must understand it. There has always been a leaning. I have seen it in the UK; I have seen it in the United States. There is always a feeling there that 'Pakistan is closer to us than India'. That is, really, the explanation.

Dr. L. M. Singhvi (Jodhpur): Could he throw some light on an aspect on which he touched briefly? This is about the Bolivian and Nationalist Chinese stand on this matter and the factors leading to it. We would also like to know whether the concept of consensus as expounded by him is shared by all other members of the Security Council because that has caused some anxiety in this country.

Shri M. C. Chagla: I am glad the hon. Member mentioned about Bolivia. I apologise for not having mentioned it. I should have mentioned Bolivia in my statement.

Bolivia completely supported India. I should have mentioned that earlier. It is an important Latin American country. I do not want the House or the public to feel that I have not appreciated the attitude taken up by that country.

An hon. Member: You mentioned it earlier.

Shri M. C. Chagla: With regard to the consensus, almost every member country praised India for the flexible attitude it took up, the reasonable attitude it took up. We were prepared to go as far as possible, subject to our fundamentals. I assure you, whether it was Russia, or Czechoslovakia or other countries, every country wanted a consensus but no country wanted a resolution. That is the position with regard to consensus.

Shri Swell (Assam—Autonomous Districts): On his return from the Security Council, Mr. Bhutto was reported to have said that he was not unhappy with the attitude of Russia

towards the Kashmir question. Does that mean that there is an indication of any kind of a shift in the attitude of Russia towards this question?

Shri M. C. Chagla: No country likes to exercise its veto, if it can help it. That applies to the USSR as well. But as I said, the hon. Member has only got to read the delegate's speech to see that Russia still stands by us; and throughout the negotiations she stood by us.

Shri Sham Lal Saraf (Jammu and Kashmir): May I know what will happen to the request of Pakistan to the Security Council? Is it shelved? Or if it is to come up again, if so, in what form will it be?

Mr. Speaker: What is the effect of this item remaining on the agenda?

Shri M. C. Chagla: I read that Mr. Bhutto is going to New York in March. Technically, Kashmir is an item on the agenda of the Security Council—it has been there since 1948. Again technically, any member of the UN has the right to apply to the Security Council to bring it on. But I do not see how the Security Council can waste its time discussing this item, unless some case is made out. That is why I have been saying that we must be vigilant and watchful and see that Pakistan does not create a new case to go to the Security Council.

श्री किशन पटनायक (मम्बलपुर) :
 क्या हमारे प्रतिनिधि ने ब्रिटिश प्रतिनिधियों से बातचीत के दौरान यह कह दिया था कि ब्रिटिश एंटि ट्रिप्टोड से हिन्दुस्तान की जनता में कामनवेलथ रिश्ते के प्रति चिढ़ हो रही है।

श्री सु० क० चागला : मैं माननीय सदस्य की हिन्दी पूरी तरह समझ नहीं सके।

Mr. Speaker: The question is whether our representative had made it clear that there is a feeling here

in India created by the attitude of the UK delegate that we should go out of the Commonwealth.

Shri M. C. Chagla: The foreign policy of a country should not be based upon anger or indignation. Pakistan bases its policy on hatred of India. We are much too civilised. Whether we should remain in the Commonwealth or get out of it is a matter for serious consideration, not to be decided by what the UK representative says in the Security Council.

12:28 hrs.

RAILWAY BUDGET—GENERAL
 DISCUSSION—contd.

Mr. Speaker: We will continue general discussion on the Railway Budget. Out of 15 hours allotted, 6 hours and 5 minutes have already been taken, leaving 8 hours and 55 minutes. Shri Hem Raj may continue.

Shri Hem Raj (Kangra): The other day I was speaking about overcrowding on the railways. So far as the income is concerned, the income from first and second classes comes to only about Rs. 20 crores while that from the third class yields Rs. 148 crores. I do not know why then the Railway Ministry should not bestow more care in easing overcrowding in III class.

Regarding the incidence of pilferage, in his speech the hon. Minister had given a very rosy picture. He said:

"The thefts of booked consignments as well as of carriage and wagon fittings and other railway material, from yards, workshops, stores and loco sheds have been controlled".

But the audit report tells us another tale. It says:

"Compensation claims on account of loss due to pilferage of