

that specifically from the hon. Minister.

**Shri Tenneti Vishwanatham:** With reference to the reply given by the hon. Minister to the question put by Shri Hem Barua about the Instrument of Accession, may I know whether it is a fact that it was actually missing from our records?

**Shri M. C. Chagla:** The hon. Member may either write to me and I will send him a reply or he may put down a separate question, because that does not arise out of this question.

श्री मधु लिमडे : इस प्रश्न का उत्तर सदन में देना पड़ेगा।

**The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi):** This question was asked many times in the last session.

**Shri Hem Barua:** Only once.

**Shrimati Indira Gandhi:** Anyway, a very clear and categorical answer was given, that it is not lost and it is in safe custody.

श्री कंबर लाल गुप्त : साफ जवाब क्यों नहीं देने ?

श्री मधु लिमडे : यह जवाब ठीक नहीं है। उसकी दो तकलें थीं, क्या दोनों सुरक्षित हैं। अध्यक्ष महोदय, टेबिल पर दोनों कापियां रखी जायें। इस सम्बन्ध में हमारा इनसे क्षमा पत्र-व्यवहार चल रहा है। इस तरह से छिपाने से काम नहीं चलेगा।

**Shri Hem Barua:** Sir, I rise to a point of order. May I submit that when this question was specifically put last time there was no satisfactory reply and I had to write to the Minister concerned about it for further clarification. There has been no reply to that letter up till now.

**Shri M. C. Chagla:** I do not think have received any letter.

**Shri Hem Barua:** It was addressed to your predecessor, Shri Swaran Singh. I wrote specifically about this to him. There has been no reply up till now.

**Mr. Speaker:** Let us go to the next question.

#### Vietnam Conflict

+

\*4. **Shri H. N. Mukerjee:**  
**Shri D. C. Sharma:**  
**Shri Indrajit Gupta:**

Will the Minister of External Affairs be pleased to state:

(a) whether the International Commission for Supervision and Control in Vietnam or any of its member countries has taken an initiative in the matter of seeking ways in ending conflict in Vietnam;

(b) if so, the precise nature of the steps taken, and

(c) whether any and if so, the names of other countries which have expressed their desire to help in this matter?

**The Minister of External Affairs (Shri M. C. Chagla):** (a) to (c). The three Member countries of the International Commission for Supervision and Control in Vietnam had been informally consulting amongst themselves on the desirability of issuing an appeal to the parties concerned to facilitate discussions towards a peaceful solution of the Vietnam problem and to secure extension of the ceasefire on the occasion of the Vietnamese New Year.

**Shri H. N. Mukerjee:** In view of the recent escalation of the fighting and the intensified bombing of North Vietnam, may I know if India is making a very special effort to play the role that is naturally expected of her, which she did not seem to be playing in recent times, in order to bring about a settlement of this dispute?

**Shri M. C. Chagla:** I beg to differ from the view of my hon. friend. India is playing the role which is expected of her, and because of that India has a very big place in the counsels of the world and India can help in creating world public opinion. India has consistently maintained and given expression to her views on this war that is going on. We have been saying that this conflict cannot be ended on the battle-field, it can only be ended at the conference table. In our own way we have been doing our best to help the mission of the Secretary-General of the United Nations.

Now, may I inform the hon. Members that some of these things can only be carried on through secret diplomacy? It would not be in the public interest to disclose what we have done and what action we have taken. Even the Secretary General has appealed for this and, therefore, I would appeal to the House not to cross-examine me as to what specific steps the Government of India has taken to help the cause of peace. But I assure the House that we are doing our best, both in our own interest and in the interest of peace and in the interest of international relations, to put an end to this conflict.

**Shri H. N. Mukerjee:** As early as November, 1966 this House was told that the International Commission, of which India is Chairman, is receiving very serious complaints about the use of toxic chemicals and gases by the United States in that area, and there are reports all over the world in regard to the United States having such a laboratory of death in regard to their nefarious practices. In view of this and in view of India's very special responsibility, at least in regard to the stoppage of the employment of toxic gases and poison gases of all kinds, India should play her role. I want to find out what Government has specifically done in regard to this, about which complaints have been hanging fire for many months.

**Shri M. C. Chagla:** As the hon. Member knows, there is a definite proce-

dures prescribed about the working of the International Commission, the three members of which are India, Poland and Canada. Whenever a complaint is received, the Commission investigates it and makes its report. I am sure that if any complaint of the sort mentioned by the hon. Member has been received, it will be duly investigated and the procedure will be followed.

**Shri H. N. Mukerjee:** A question here as early as November last elicited the reply that we had received a complaint. What have you done about it?

**Shri M. C. Chagla:** It is not merely India but Poland and Canada have also to go into the complaints. India may want to be expeditious but Poland and Canada may want to wait for instructions from their Governments, which takes time. The international machinery sometimes moves very slowly

**Shri Indrajit Gupta:** It is not denied by anybody, not even by the United States, that in recent months, in addition to aerial bombardment of North Vietnam, long-range artillery shells are being fired. May I know whether in this undeclared war against North Vietnam, which is being waged by the United States, the Government of India has given any instructions, and if so what instructions, to its representative, who is the Chairman of this International Control Commission, to see that the Commission at least condemns this latest outrage by the United States?

**Shri M. C. Chagla:** That is not the function of the Commission under the Geneva Agreement. The Geneva Agreement lays down the functions of the Commission. Though we are Chairman of the Commission, we cannot travel outside our jurisdiction. Our jurisdiction is strictly defined according to the Geneva Agreement. Condemnation is not one of the functions of the Commission. The function of the Commission is to find facts and report to the Co-chairmen. If a com-

plaint is received, we will investigate, find facts and make a report to the Co-chairmen.

**Shri Indrajit Gupta:** Even if what the Minister says is correct, if facts are to be found out, I want to know whether the Government of India have given any instructions to the Chairman, who is our representative. It is a question of fact. It is not denied by anybody that fighting is being carried on.

**Shri M. C. Chagla:** If they are to find facts, the three of them would sit down, look at the complaints, discuss the matter and arrive at certain conclusions.

12 00 hrs.

**Shri P. Venkatasubbaiah:** Apart from making the statement regarding the ending of the conflict in Vietnam, may I know whether any specific proposals have been made through diplomatic channels for the cessation of hostilities in Vietnam?

**Shri M. C. Chagla:** A lot of diplomatic activity has gone on, but, as I said, it would not be in the public interest to disclose what part India has played in this diplomatic activity. All that I can say is that India adheres to the position it has consistently taken up with regard to its policy and what is happening in Vietnam.

**Shri Shivaji Rao S. Deshmukh:** May I request the hon Minister of External Affairs to clarify the factual position? The hon. Minister has said that the three members of the Commission sit on a complaint and some members take the stand that they have to obtain instructions from their Governments. This being a quasi-judicial body, whose duty primarily is to investigate the complaint on the basis of facts, is it not a fact that the concerned members are expected to function without interference from their home governments?

**Shri M. C. Chagla:** In a sense it is a judicial or a quasi-judicial body; I would not even call it quasi-judicial. Our representative, for instance, has

got to take instructions from us in many matters. The same thing applies to other members of the Commission. Therefore you cannot prevent a representative of government, who is a member of the Commission, from taking instructions from his home government.

#### WRITTEN ANSWERS TO QUESTIONS

##### Aircrafts Supplied to Pakistan by Turkey and Iran

\*5. Shri Nath Pai.

Shri D C. Sharma:

Will the Minister of External Affairs be pleased to state:

(a) whether Government have ascertained that the aircrafts obtained by Pakistan from Turkey and Iran under the pretext of repairing them have since been returned; and

(b) if so, the precise position in this regard?

The Minister of External Affairs (Shri M. C. Chagla): (a) and (b). The Government of Iran had assured us earlier that the aircraft sent to Pakistan were only for repairs, servicing and modification and were to return to Iran. Subsequently, the West German Government had also informed us that except for a few aircraft under servicing in Pakistan, all the F. 86 aircraft sold to Iran for her use had already returned to Iran and that the few undergoing servicing at that time would also return to Iran.

Government have since come across some reports to the effect that these aircraft have come back to Pakistan. We have no confirmation of these reports so far.

Government have no information about supply of aircraft by Turkey to Pakistan