

RAJYA SABHA

*SYNOPSIS OF DEBATE

(Proceedings other than Questions and Answers)

Wednesday, August 10, 2016/ Shravana 19, 1938 (Saka)

Discussion on the Prevailing Situation in Kashmir Valley

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD), initiating the discussion, said: Hon'ble Chairman Sir, I am very much thankful to you for granting permission to hold discussion on the issue of Kashmir today dropping Question Hour, on the demand of Opposition. I also congratulate Minister of Home Affairs on my behalf and also on behalf of all our colleagues from Opposition for the reason that he came to House yesterday and said that discussion will take place certainly and he was ready for that.

As far my memory goes, it never happened earlier that in one month's Session, it is being discussed for the fourth time. There was a Short Duration Discussion on it on 18th July, 2016. After that, it was discussed during Zero Hour on 8th and 9th August also. We are thankful to you that you provided us another opportunity to discuss it for the whole day. Whether be it Kashmir issue or issue of *dalits*, we

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demanded in this House or that House that Prime Minister himself should come.

I was very happy when Prime Minister came to Parliament House for the first time. I do not think that any Minister or any MP would be there who comes to his office at 10 or 10.30 in the morning and remains till evening as the Prime Minister does. But, despite being so near, the Prime Minister is far away from Parliament. It was stated by Minister of Home Affairs yesterday that he was in a meeting in his room when he saw me standing in the House and heard the debate and cutting short his meeting he swiftly came here. Such was the type of response of Prime Ministers here. Whether it be Pandit Jawahar Lal Nehru, Indira Gandhi Ji, Rajiv Gandhi Ji, Dr. Manmohan Singh Ji or even Atal Bihari Vajpayee Ji. Everyone's response was like this. We are discussing this issue for the fourth time in this House. We demanded again and again that Prime Minister should come over here but our Prime Minister addressed Kashmir from Madhya Pradesh and did not address from Lok Sabha or Rajya Sabha.

Prime Minister said, Kashmir is very beautiful. I have already said, Kashmir is very beautiful. But, do not love Kashmir for its beauty. In the 5000 years long history of Kashmir, people from all religions have ruled it. People love it but there must be someone to love its people also. I concede that we all should meet the challenge of militancy. We all have become victims of militancy. Whoever resides in Kashmir, whether they are Hindus or Muslims, everyone is victim of that militancy. You probably give statements only, but we have lost our near and dear ones.

I have been giving much regard to Atal Bihari Vajpayee Ji. I had been a Minister for Parliamentary Affairs for a long time and he was the Leader of Opposition. For this reason, I got an opportunity to work with him for a long period. Certain things were there, which suited from the mouth of Atal Ji only. He believed in humanity and democracy. When others speak, who have no faith in all these things, it looks very odd.

There is a difference between communalism and separatism. Militants have no religion, they have not spared even Muslim population. We don't want to blame anyone, therefore, it is necessary that we all sit together and find a solution to this problem. This is not a simple question of Law and Order in Kashmir like that of other states and it is the Para Military Forces and the Police, both, which maintain law and order in J&K. The state has limited resources and is dependent on the Centre for all the purposes of development and salaries. There is no doubt that Jammu and Kashmir is the integral part of India, but there should also be integration of minds and it should be reflected in the working between the federal Government and the State Government. The whole nation should feel some agony of the local people of J&K. Three Round Table Conferences were held during the tenure of UPA government in which except Hurriyet, leaders of all political parties, religious groups and representatives of all the three regions of the state participated. Many recommendations of the five working groups, formed after the conferences, were implemented. A number of Confidence building measures were adopted and flats were provided to the Kashmiri pandits along with launching a special recruitment drive for them. Railway lines were laid in the valley and train services were started to some part of Jammu. Further, a number of schemes like, Umeed, Udaan, Himayat were started.

The issue of Kashmir is very complex and politics comes on top there. Many innocent people including personnels of security forces have lost their lives and got injuries. We all should share their sufferings and make an appeal to the local people to restore peace in the region along with sending an All-Party Delegation there.

SHRI SHAMSHER SINGH MANHAS: While we talk of Kashmir, Jammu area can't be ignored. This area shares more than 500 K.M. border with Pakistan, who is engaged in anti-India activities on day to day basis. It is not a fact that unemployment is a reason behind such developments in Kashmir. This is not a battle of J&K, but its a battle of nationalism with separatism. Thousands of youths of Ladakh are not of the same views, though they have been demanding

Union Territory status, but they are still with this nation. Sixty five percent people of J&K have shown their faith in the democracy by participating in the election process. The whole nation has sympathy towards the people of J&K and we can never play with their feelings. Therefore, we must try to address the root cause of this turmoil. Some people of a certain area are playing in the hands of separatist leaders and want to continue the battle. The aspect of bright future of the children should be our point of concern. Several development works, such as establishment of IIM and AIIMS like institutions, have been started in Kashmir. This perception is altogether wrong that unemployment is forcing the youth of Kashmir towards terrorism. All possible facilities are being given to Kashmir. A package by our Prime Minister has also been announced. The whole Kashmir is not disturbed. There are only few areas wherein the people creating disturbance on the instructions of the separatists. I am feeling pain for all the Kashmiries as they are all my own people. We should sit together and find some solution to this problem.

PROF. RAM GOPAL YADAV: The problem of Kashmir is not so simple that it would be solved by extending several facilities. In order to solve this problem, we have to strike its root cause. The root cause of this problem is Pakistan which is poisoning the minds of the people of Kashmir. The Pak TV is also contributing in it. Hence its transmission in J&K should be stopped. The problem of Kashmir is the outcome of the mistakes made by over Governments in the past. Even after winning the wars against Pakistan we could not get the benefit of the situation and the right solution of this problem. The terrorist organisation of Pakistan along with the ISI, misguide the youth of Kashmir and provoke them against India. The people of Pakistan are in a favour of having good relations with India but Pakistani Army and the ISI are against this idea. Today, despite giving several privileges to Kashmir, the terrorism in the state is still on a rise. The protest of the death of a terrorist by so many people was unbelievable. The issue of POK should also be raised by India on the international forums and Pakistan should be asked to return the same

to India as it is our territory. Several efforts have been made to reassure the Separatist Groups of Kashmir but they are not ready to understand anything. It is true that the use of force by the security forces against such agitations becomes inevitable for the security of the country but I am of the opinion that the use of Pellet-gun should be stopped there. I again reiterate that the root cause of this problem, which is responsible for the poisoning of minds of the Kashmiris, should be stroked by the Government only than the peace could be restored in the valley.

SHRI A. NAVANEETHAKRISHNAN: I would like to make it very clear that from Kashmir to Kanyakumari, India is one. I too belong to Kashmir and Kashmir belongs to me. The people of Kashmir are very nice. We must find out as to where the problem of Kashmir lies and, then, should endeavour to remove that problem. That is the only solution. I pray to God for putting an end to terrorism in Kashmir.

SHRI DEREK O'BRIEN : Pakistan should stay away from our internal affairs specially from Kashmir. She need not shed crocodile tears for the people of Kashmir. After the Partisan, there has much difference arisen between India and Pakistan. Today, we are more free than them. The BJP and the NDA are having a different look at Kashmir. Today, the Internet has penetration in Kashmir and it has grown like anything. This is a major change that has happened in Kashmir. The opinion is being made on the Internet. Though, many times the Internet has been blocked in Kashmir, but that is not the solution. Kashmir is non-negotiable. The Government must bring Expert Committee report immediately. Why the Government is asking for two months? The pellets are hurting the consciousness of Kashmir.

SHRI SHARAD YADAV: A number of separatists movements started in several states of India but we got victory over all these. Now, we will have to win over Kashmir problem. India loves Kashmir much but this is also needed that people of Kashmir

must also love us. The war is not the solution of any problem. If we considered Kashmir as a part and parcel of the country, then why pellets are not being used in other parts of India? Today, the condition of Kashmir is not good. There has been curfew imposed for last 32 days. Daily wage earners are sitting idle home. We must think seriously over this big challenge. Those who have been escaped from Kashmir, must be brought back.

SHRI SITARAM YECHURY: There has been a continuous curfew for thirty-two days in Kashmir Valley and every day firing is taking place. Government is not able to control what is happening in Kashmir. Using of pellet guns should be stopped and political process should be started. An all-party meeting on Jammu and Kashmir should be called. Pakistani interference and cross-border infiltration must be stopped. Alienation amongst the people of Kashmir has to stop. Kashmir joined India with the aspiration of independence. The aspiration was for prosperity, unity and maintaining that uniqueness called the kashmiriyat. Kashmiriyat is the mingling of Sufism and Vedanta for the sake of advancing humanity. People's alienation needs to be addressed today. Article 370 is not unique to Jammu and Kashmir only. Autonomy was promised to Kashmir. Mere slogans are not sufficient. Government should take concrete action by initiating a political dialogue and the political process. There is trust deficit among the people in Kashmir. The team of interlocutors on Kashmir gave its report but it was not placed in the House. The atmosphere created in the whole country is vitiating the trust. Trust can be created by stopping the communal polarization that is taking place. Promises made to people on the questions of autonomy and Article 370 need to be addressed. Government is urged to take all political parties on board and start the process of political dialogue on Kashmir.

SHRI DILIP KUMAR TIRKEY: Whosoever speaks negative about army personnel posted in Kashmir, becomes a hero in Pakistan. There is need of healing touch in Kashmir. More than army,

there is need of dialogue and discussion there. All party meeting on Jammu and Kashmir should be called as soon as possible and an all party delegation must be sent there. Our youth should not be influenced by separatists.

SHRI MUNQUAD ALI: Curfew in Kashmir has continued for 32 days. Many people have lost their lives and many are seriously injured. Security personnel are also being killed and children are also not spared. Many have lost their eyesight. There is no concrete solution to problems of Kashmir because terrorism is breeding inside our country. We have to rise above party politics and take concrete action on Kashmir situation collectively. Government is urged to take care of curfew bound people and provide them medicines, water and food. My party appeals to the people, the youths of Kashmir to come forward to establish peace in Jammu and Kashmir and deliver message of humanity.

SHRI D.P. TRIPATHI: The House is one as far as opposing all these anti-national terrorist activities, promoted by Pakistan across the border, are concerned. But, why the Government is not convening the All- Party meet, and then, sending a delegation. This should be treated as an urgent beginning of the dialogue. According to a Resolution passed by the Constituent Assembly of Jammu & Kashmir on 17th November, 1956, Jammu & Kashmir is and shall be an integral part of the Union of India. This integration is possible on the basis of building the trust among the people of Kashmir. The Home Ministry should look into the kind of treatment being meted out today to the Kashmiri students. In Jawahar Lal Nehru University, doubts are being cast on Kashmiri students. The Kashmiri people must be trusted as 'Kashmiriyat' is synthesis of various cultures and faiths. They must be respected in every part of India. The most important recommendation in the report given by working group formed under the leadership of Dr. Manmohan Singh on confidence-building measures is that dialogue should not be discontinued. The Government should implement the steps taken by UPA-I and UPA-II

for confidence building measures. All the political parties and the entire House must totally support and help the present Jammu and Kashmir Government to deal with this crisis.

SHRI SWAPAN DASGUPTA: Kashmir is not new to political turbulence. Behind the present problem, the immediate provocation which actually resulted in the spate of curfews and in the spate of demonstrations was the death of Burhan Wani. The death of any Indian should be a source of anguish but the unfortunate point is that Burhan Wani never considered himself an Indian and he actually tried to attract everybody towards terrorism. Article 370 is a contentious issue but at that time, it was thought that giving special status to Article 370 would facilitate the process of integration. The mere call for pre-1953 status etc. may have actually hardened rather than facilitate the process of integration. It may have created an emotional schism. The type of propaganda which is going on there has been fuelled from across the border. A political approach is needed to this, but what form of political approach and when is a very, very important question. Political dialogue must be initiated, all-party missions should be sent to Kashmir but it cannot be done if the hands of the executive are tied and their operational freedom is restricted, because the threat we face today is qualitatively different. It is not a mere question of autonomy or it is not a question of pre-1953 status. The question is, here is a threat, an orchestrated terrorist threat. Today, in Kashmir, an attempt is being made to create dual power. To actually maintain the integrity of India certain harsh things are required to be done. But, here, harshness is only to facilitate a process of greater love.

SHRI NAZIR AHMED LAWAY: Everybody knows who is responsible for the worsening condition in Kashmir region. Till 1987 the people, children and the youth of Kashmir were part of this country, but today they have ceased to be so. Why people are dying there. Why sisters are getting widowed? This needs to be addressed more than anything. Guns will not solve the issues. Guns can kill

people but cannot satisfy anybody's hunger. No Kashmiri wants to take gun in his hand. Kashmiri people are one with this country. We are leading the country backwards. Kashmiries are intellectual people. We should understand the agony of Kashmir and avoid repeating mistakes committed in the past. It is not merely an issue of law and order. We want a feasible and long-lasting solution for Jammu and Kashmir. Without any discrimination, an all-party delegation should be constituted. Confidence building measures should be taken for the economic development of the State.

DR. KARAN SINGH: Something urgently needs to be done as the situation has further deteriorated in the Kashmir valley. Use of pellet guns should be banned as these are really creating terrible turmoil. It is essential that law and order must be restored. We have to carefully introspect an extremely complicated affair of the State and got to keep the dialogue going. It is just not an internal matter but has a very major international aspect also. There still remains an uncertainty with regard to exact status of Jammu and Kashmir and its relationship with Indian history. Taking into account the internal-external dimension, dimension of special position of the State, dimension of regional imbalances and regional problems, an overall settlement of the State will have to be taken into consideration. Some ground work needs to be done before sending an empowered group that can take decisions.

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION, THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE, THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION THE MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY AND THE MINISTER OF STATE IN THE DEPARTMENT OF SPACE (DR. JITENDRA SINGH), intervening in the discussion, said: It is satisfactory to note that all the Members, cutting across party lines, are equally concerned over

the prevailing situation in Jammu and Kashmir. We all know that the State is an integral part of India and has set an example by defying the two-nation theory. It is not true to say that BJP is responsible for this situation. The poor have lost their children. Those who have motivated these children to come forward in the name of so-called Zehad have very safely kept their children in safe havens. There is need to motivate the youth of Jammu and Kashmir. The youth of today is open to the internet .The youth of Kashmir wants to be the beneficiary of India's success story. It sounds very good academically and ideologically that we have to talk. The Government also want to have talk. But we want to talk with all stakeholders like Kashmiri pundits, refugees from West Pakistan, Sikh community, Jammu and Ladakh. As far as the present Government is concerned, Kashmir is very important for us. Therefore the need of the hour is to have political honesty. We should not do or say anything which tends to demoralize the security forces of India. It is because of the security forces that Jammu and Kashmir is showing a semblance of normalcy. We are proud of them and we have to reinforce their efforts.

SHRI K.T.S. TULSI: I heard all the members on this issue and endorse their views. Punjab became normal because of the magnanimity of the Government. It was by winning the hearts of the people of Punjab that militancy was crushed. Once people stopped cooperating with militants then only the security forces can root out the problem. Sikh community in Jammu and Kashmir are extremely insecure. The plight of the Sikhs in Kashmir needs to be addressed.

SHRI PARTAP SINGH BAJWA: Kashmir is an integral part of our country. The challenge of Kashmir is a very big challenge before us. We have full sympathy for the affected people of Kashmir. The paramilitary forces, police forces and the armed forces are also like our brothers. They are ready to sacrifice their lives for the country. Talk is the only solution of this problem. Kashmir is like a jewel in the crown of our country. In Jammu and Kashmir, there are many stakeholders like Kashmiri Pundits, Sikhs, Ladakh and

Jammu. The Government should talk with all stakeholders. It is my request that whenever Government have talk with the stakeholders then they must talk about Punjabi language and giving minorities status to Sikhs. The Government should handle this problem in a human way. The policies are laid down before the Government. The Government should do something and we would definitely appreciate.

DR. VINAY P. SAHASRABUDDHE: We have discussion on separatism and at the same time we say that Kashmir has a special status. Many matters have not reached upto Kashmir in the garb of Article 370. Even today, 73rd and 74th Amendments are not being implemented in Kashmir. 'Right to Education' is not implemented in Kashmir. The foundation of separatism has already been laid down there. We can not remain silent when someone tries to glorify Burhan Wani. All these issues should definitely be answered. The problem of Kashmir Valley is due to a handful people. Despite adverse circumstances there, the entrance examinations of 'NEET' and 'CET' were conducted in a proper manner. Pellet Guns were used earlier also. We will certainly not address to the questions of the people who are playing with the unity of the nation. We, together can certainly find a solution of the problems of Kashmir.

MIR MOHAMMAD FAYAZ: Perhaps, we have also committed atrocities at one time or other, the outcome of the same is being borne by the Kashmiri public. We might have also committed some mistakes to make them separatists. The conditions were improved to some extent there during 2002 to 2005 and then Pakistani General Musharraf was forced to utter that United Nation Resolution was not required. After that many attempts were made to restore peace. In 2010 the situation again worsened. A Working Group was formed wherein all parties were included. No implementation was done in that regard. The issue now is political. Whenever the situation is deteriorated in Jammu and Kashmir, we think of Kashmir. There is no information about the reports of the delegations that visited Kashmir during 2008 to 2010. At one point of time the people of

Kashmir had a thought in their mind that they were being discriminated. Certain things have been done by us and the loss is being suffered by the people there. We have not fulfilled the promises made by us. We have formulated some power projects in collaboration with NHPC and the major share was to be received by Jammu and Kashmir, which was not given. Today, the people of Jammu and Kashmir are in difficulties. The children have not gone to schools there for the last one month. The students of Kashmir were studying in the colleges of different states for the last three-four years, but they were expelled from the colleges stating that the colleges were not registered. I would like to ask the Hon'ble Minister of Home Affairs about the number of the students who were expelled from these colleges after three-four years. This needs to be taken care of that why one become a terrorist. We have to solve this problem with a dialogue with Kashmiri people.

SHRI VIVEK K. TANKHA: Whenever there is any calamity in Kashmir, or any incident occurs, we are first to reach there. There is no communalism but there is separatism. Kashmiri people respect the Kashmiri pandits. It was conspiracy of Pakistan that pandits should be sent out from Kashmir then its movement will become effective. Pandits want to back to Kashmir. They want to be part of the progress of Kashmir. Stone pelters were giving musical presentation in a cultural evening in Kashmir wherein I was a guest. We need them to be busy. Kashmiri pandits are an important part of Kashmir. Kashmir is an integral part. Kashmiri Pandits and other Kashmiris want to invest and work in Kashmir. Security forces have to be there to fight terrorists but security forces are not an answer to our Kashmir. The answer to Kashmir will come from the people of Kashmir. We should think about all the stakeholders including Kashmiri pandits.

DR. K. KESHAVA RAO: Cutting across party lines, we have taken the level of debate to a very high level. Kashmir is an integral part of India. What is that political issue and how do we solve

it? All these issues are not a legacy but they have been hanging fire for all these 60 years. We have not been able to solve this. There is no mantra readily available for us and we get the answer to Kashmir. This is a low-cost proxy war by Pakistan. We have sufficient evidence to prove that how it is being funded. Unless the funding is stopped Government will not be able to do it. All that Government are doing, we are with you except that pellet gunning. That we think, perhaps, was not necessary. So that is for Government to decide. Please also factor in the Chinese angle to this. The common corridor that is coming in, it is not economic; it is political. They have already claimed. They have put their stake in Laddakh. That also cannot be forgotten. Our mere talking about the things will not do. We need to be very strong. I still believe Article 370 can be used to pave way for this integration. On the day, when Wani was killed that the entire thing changed. So, vigilance on Government part could have easily saved the situation. An Empowered Committee must be sent there. Let them first prepare the ground, so that a political dialogue could follow. Development is not an answer at all. Only because three districts are tense, don't think entire Kashmir has been affected. Whenever you talk about Kashmir then talk about Jammu too. Take the House into confidence first then think boldly. So, these are issues that the Home Ministry must look into.

SHRI D. RAJA: The Parliament cannot be a mute spectator when Kashmir is bleeding. Particularly the people of Kashmir do not trust Central Government. in New Delhi. There are several reasons for this. It is not a question of religion. Why are people agitating? I think it is time to initiate a dialogue with all stakeholders in Jammu and Kashmir. With excess use of power, we cannot win the minds of the people of Kashmir. Government should take initiative to stop the use of pellet guns. I have been repeatedly asking the Government that the Armed Forces (Special Powers) Act should be reviewed. The Government should spell out what its political strategy is. Government will have to talk to China and Pakistan at one level. The Government should not allow others to internationalise the whole issue. The

Government not to resort to such misadventure of imposing President's rule. Take the people of Jammu and Kashmir into confidence otherwise, we will not be able to solve the problem. The situation is so alarming. Government cannot do it unless it takes some immediate measures. We should also include separatists. We should demarcate between separatism and terrorism. Separatism cannot be equated with terrorism. Because some people raise some separatist slogans, it does not mean that we should not talk to them. We will fight terrorism. Government can think of sending an all-party delegation at an appropriate time.

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****Supplement covering rest of the proceedings is being issued separately.