RAJYA SABHA

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*SYNOPSIS OF DEBATE

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(Proceedings other than Questions and Answers)

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Monday, August 5, 2019 / Shravana 14, 1941 (Saka)

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OBSERVATION BY THE CHAIR

MR. CHAIRMAN: The parliament of India, the largest temple of the Republic of India, has completed its 92 golden years. All the political decisions are taken from the building of this temple of the world's largest democracy. After Independence till date, the expanding nature of democracy has increased the responsibility of this most sacred and great heritage of the country and it has also expanded the expectations of the country. So, it is our desire that this Parliament House of the world's largest republic and the largest democracy be built grand and most attractive. For this, on behalf of all of us, I want to urge upon the Prime Minister of the country and the government, that by 2022, on the completion of 75 years of India's independence, the expansion and modernization of Parliament House should also be included in his resolutions of Nav Bharat. On behalf of all the Members of the House, I want to convince the country and the House that the sanctity and dignity of the Parliament will be kept intact. There has been a request by Members since long that the building with all the facilities, which are comfortable for the Members, be modernised. For this matter, we organised meetings a number of times. We have been appealing to the Government to consider upon

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*This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.

this. Before taking a final decision, they will consult us, Rajya Sabha as well as Lok Sabha.

WITHDRAWAL OF THE MEMBERS

THE CHAIRMAN: Shri Nazir Ahmed Laway and Mir Mohammad Fayaz have been named by me. They have to go out. If they do not go out, take them out. They are breaking the Constitution. I can not tolerate it in the Indian Parliament. They are tearing the Constitution. Indian Constitution is supreme.

GOVERNMENT BILLS

The following Bills were introduced :

1. **The Jammu and Kashmir Reservation (Second Amendment) Bill, 2019**
2. **The Jammu and Kashmir Reorganisation Bill, 2019**

STATUTORY RESOLUTIONS

I. Notification by the President of India under Article 370 (3)

II. Regarding the acceptance of the Jammu and Kashmir Reorganisation Bill, 2019

THE MINISTER OF HOME AFFAIRS (SHRI AMIT SHAH): I move that -

I. This House recommends the following public notification to be issued by the President of India under Article 370 (3):

In exercise of the powers conferred by Clause (3) of article 370 read with clause (1) of article 370 of the Constitution of India, the President, on the recommendation of the Parliament, is pleased to declare that, as from date means the date on which the President of

India signs the Declaration and published in the official Gazette, all clauses of the said article 370 shall cease to be operative except clause (1) thereof which shall read as under, namely:—

'All provisions of this Constitution, as amended from time to time, without any modifications or exceptions, shall apply to the State of Jammu and Kashmir notwithstanding anything contrary contained in article 152 or article 308 or any other article of this Constitution or any other provision of the Constitution of Jammu and Kashmir or any law, document, judgement, ordinance, order, byelaw, rule, regulation, notification, custom or usage having the force of law in the territory of India, or any other instrument, treaty or agreement as envisaged under article 363 or otherwise.

II. I also move that the President of India has referred the Jammu and Kashmir Reorganisation Bill, 2019 to this House under the proviso to article 3 of the Constitution of India for its views as this House is vested with the powers of the State Legislature of Jammu and Kashmir, as per proclamation of the President of India dated 19th December, 2018. This House resolves to express the view to accept the Jammu and Kashmir Reorganisation Bill, 2019.

GOVERNMENT BILLS

III. The Jammu and Kashmir Reservation (Second Amendment) Bill, 2019

IV. The Jammu and Kashmir Reorganisation Bill, 2019

THE MINISTER OF HOME AFFAIRS (SHRI AMIT SHAH), moving the motions for consideration of the Bills, said: I have introduced the Bill to further amend the Jammu and Kashmir Reservation Act, 2004 and the Jammu and Kashmir Reservation (Second Amendment) Bill, 2019. I have come up with the proposal of the Government of India to provide 10 percent reservation in educational institutions and government jobs for the weaker sections under the 103rd Amendment Act, 2019 of the Constitution of India. This reservation will be given to the economically backward people

in addition to reservation for scheduled castes, scheduled tribes, other backward classes and border reservation. We will give the benefit of this reservation to the people belonging to the economically weaker section of Jammu and Kashmir and the meritorious children there. They will be given reservation in jobs also. According to the said order, it will be implemented in Jammu and Kashmir. Now, in order to give effect to the amendment order in the Constitution, there is a need to bring an amendment in the Jammu and Kashmir Reservation Amendment Act, 2004. Since legislative powers are vested in both Houses of Parliament during the President's rule, therefore, to amend this Bill, it is necessary to pass it by both the Houses. I request all Members of the House to pass this amendment. The bills I have brought are also historic. Due to Article 370, the people of Jammu and Kashmir are living in poverty today. They do not get the benefit of reservation. Injustice is being meted out to the women there and to the Dalits and tribes also. The Leader of the Opposition said that Article 370 linked Kashmir with India. This is not true. The 'Instrument of Accession of Jammu and Kashmir' was signed by Maharaja Hari Singh on 27th October, 1947. The truth is that Article 370 never allowed Jammu and Kashmir to integrate with India. Since our constitution was framed, Article 370 was considered temporary. Neither we have to make a vote bank nor we lack political will. The country wants to know why Section 370 continued so long. The country wants to know why the Dalits of Kashmir did not get the benefit of reservation. I request all the Members of the opposition to discuss this. I am firm that there should not be any delay in removing Section 370.

SHRI BHUPENDER YADAV: Today is a historic day for this country. Resolutions and Bills have been introduced in this House by the Hon'ble Home Minister, which will strengthen the unity and integrity of India. This will ensure "Sabka Saath, Sabka Vikas and Sabka Vishwas". As an MP, we pledge to maintain allegiance to the Constitution of India. We also take an oath to maintain India's sovereignty, integrity and unity. The opposition gave notice under Rule 267 this morning. Power has been given to Hon'ble Chairman in Rule 266 that he can waive any rule. But instead of speaking on the

Bill, the Opposition has done the work of breach of dignity the Parliament today. They should fulfil their parliamentary duties. In this House, Bills have been introduced many times as Supplementary Business. I would like to say that its opposition is only political. This protest has nothing to do with the citizens of Jammu and Kashmir, Jammu and Kashmir. I would like to say to the Honorable Members of the Opposition that they should participate in the discussion. Article 1 says, Jammu and Kashmir's is a Union Territory of India. Article 1 is permanent, but article 370 was a temporary or provisional article. When Jammu and Kashmir was merged with India, at that time the Maharaja of Jammu and Kashmir had said that Jammu and Kashmir would be a part of India. According to the immediate circumstances of that time, Section 370 was made provisionally. In our country, many states have been merged in India from time to time under Article 1 of the Constitution of India. Bills have been passed by this House unanimously. When Sikkim was merged in the territory of this country, the resolution was passed within a day by all members of the House. The members of the opposition did not forget that this is a matter of unity and integrity of India. Sikkim, Goa, Puducherry, Daman and Diu were similarly merged unanimously. Important constitutional amendments of the country have been passed unanimously in the House many times. The reservation of 10 percent for the poor was unanimously passed by this House. When we came with the first reservation Bill, the aspiration of the people of Jammu and Kashmir has increased. It is our responsibility today to fulfil that aspiration. We have to develop Jammu and Kashmir and to create an environment for investment in J & K . We have to bring justice and respect to the Kashmiri Pandit brothers who were expelled from Jammu and Kashmir. Congress had opposed Aadhaar law, Reservation of OBCs, Triple Talaq. Today, when we have bring a resolution to end Article 370 for the development of Jammu and Kashmir, they are opposing it too. But we are going to get support from many parties. This is a moment of historical pride for India. We must come forward for the development of Jammu and Kashmir. In order to establish social justice and welfare state in Jammu and Kashmir, the resolution of ending Article 370 is being passed. Article

-370 was moved Shri N. Gopalaswami Iyengar, even then it was said that it is an temporary clause. The fundamental rights of the people of India should be protected. In 1975, to save the fundamental rights during the Emergency, we had left our own career and went to jail. We were tortured in jail. We fought the second battle of the country's independence under the leadership of Jayaprakash Narayanji. There were two legislations for Kashmir, they are being terminated. The provision of 370 was temporary. People have given only speeches on patriotism in this country, but our government has shown that the unity of India should be strengthened by taking steps in the country. Jammu and Kashmir has been victim of terrorism. Women of that state bear the brunt of terrorism. We have tried to move forward Jammu and Kashmir peacefully by removing Article 370. In the Constitution of this country, Parliament has the right to delimit the boundaries of the states. The government has taken a historic step using sub-section 3 of Article 370 in the interest of India. Today, Jammu and Kashmir is under the President's rule and the Legislative Assembly has been suspended. This Parliament has considered the first Bill of reservation of Jammu and Kashmir in this session, and when we considered the first Bill, all the parties had considered it with their consensus. Emotional issues have been raised due to prolonged rule in Jammu and Kashmir. Development of Jammu and Kashmir has not been allowed. There has been corruption in Jammu and Kashmir. Good governance was not allowed in Jammu and Kashmir. Efforts have been made to mislead the young people in Jammu and Kashmir. Today, by removing Article 370, we are moving forward for the equal development of Jammu and Kashmir similar to all the states of India. I want to say that to ensure the unity and integrity of India, equal rights should be given to all states in India. This article was temporary in India due to the immediate circumstances of that time for the last 70 years, now it should be reconsidered. India wants to be great nation with the development of the people of Jammu and Kashmir as well as all its citizens. Along with the resolution, a Bill for reorganization of Jammu and Kashmir has also been introduced by the Hon'ble Home Minister. In the period of late Atal Bihari Vajpayee ji, three states were formed. Jammu and Kashmir is a sensitive state.

Our neighbouring country sponsored terrorism exists in the Valley of Kashmir, due to that people of Jammu and Ladakh region also face inconvenience. The first session of this government has been proved the most successful session of Parliament in the last 70 years. In the first session of this government, laws like Triple Talaq , Insolvency, Medical Council have been made. We are living in a welfare state. It means that people should have the right of development and the right to live with liberty. We brought legislation like Insolvency and Bankruptcy, but due to Article 370 in Jammu and Kashmir, we can not implement it there. The people of Jammu and Kashmir should get the benefit of all the reformist laws of India and the economic development of India. Article 370 is being removed for equal development of all. It is our government who took tough measures against terrorism. Our government is committed to curb the terrorism. Under the leadership of Modi Ji, our government has undertaken various welfare schemes, strengthened the security of the country and enhanced the pride of the country. The country will be safe when the boundaries are secure. Our objective is to develop Jammu and Kashmir. Our aim is to make Jammu and Kashmir a state with good administrative facilities. Our job is to end terrorism from Jammu and Kashmir. We want to eliminate the temporary Clause which was there 70 years ago. Hon'ble Home Minister has assured the House that every doubt of the opposition will be answered. The people of our country are the rulers of the country. The people of Jammu and Kashmir are our brothers and sisters. We want to provide them security and we want to provide them terror-free atmosphere. We want to make good administrative arrangements for them. This is our resolution today. We will serve Jammu and Kashmir with full determination. We will try to carry forward the sense of integrity of India with the people of Jammu and Kashmir. Kashmir is a cultural heritage of the country and its development is the responsibility of every citizen of India. Today the leadership of our country is committed towards advancement of the journey of development of Jammu & Kashmir and India with full conviction. I want the whole House to be a partner in this journey of development of India unanimously.

SHRI A. NAVANEETHAKRISHNAN: I welcome these two Statutory Resolutions and the Bills. Article 370 is only temporary in nature. The AIADMK Government, Amma's Government, the AIADMK Party, support these Resolutions and the Bills.

SHRI PRASANNA ACHARYA: Today is a shameful day for this House, Parliament and India. I and my party condemn this amendment to the Constitution of India. But I think Jammu and Kashmir has become a part of India today only in real sense. We always say that Jammu and Kashmir is an integral part of India, but no citizen of India is able to buy land there. The day Pakistan-occupied Kashmir will also become a part of India, then the whole of India will congratulate this government. We are very concerned about the freedom of the people of Kashmir. We want to redeem the people of Kashmir from torture and we want to take the people of Kashmir at par the rest of India. But at the same time we are forgetting what happened to the Kashmiri Pandits. After this Resolution, this reservation will be null and void. So, I don't understand why the Government has come forward with this Resolution. After this House approves this Resolution, this Bill is going to become null and void. I hope the hon. Home Minister would clarify this. I would once again reiterate my point that the freedom, integrity, sovereignty and honour of Bharatmata is utmost for us. So far as Kashmir is concerned, let us all rise above petty politics. My party, the Biju Janata Dal, my leader, Shri Naveen Patnaik, and me, in this House, equivocally support this Resolution and the Bill.

SHRI RAM NATH THAKUR: Me and my party oppose this Bill because we believe that this matter should be resolved with mutual agreement according to the decision of the Court. In the last 70 years, neither the unemployed has got employment nor reservation has been given to scheduled caste and other backward classes.

SHRI SWAPAN DASGUPTA: This is a very proud day for the whole country because in future, we will not have Bills which would have the clause excludes the State of Jammu & Kashmir. We have made all citizens of this country equal. That equality was not

there. One of the statements that was used by Pandit Nehru was "the soul of a nation long suppressed finds expression". Today, I believe, we have taken a giant step towards redeeming that pledge . I have two questions. Does the repeal of Article 370 require a formal constitutional Amendment and by when Jammu and Kashmir will become a full-fledged State and join other parts of the Union of India and the equal status.

SHRI SANJAY RAUT: The removal of Article 370 means that we have removed a stigma of the country. So far as united India is concerned, Jammu and Kashmir has been merged with India today only. The threatening language should be stopped from today. Only those are against, who have exploited the people of Jammu and Kashmir for seventy years, they prevented them from coming to the mainstream of India. People of Jammu and Kashmir have been told that India is our enemy. However, it is not like that. This day will always be remembered in the history. I, on behalf of Shiv Sena, Uddhav Thackeray and Maharashtra, support the Bill brought for reorganization of Jammu and Kashmir.

SHRI SATISH CHANDRA MISRA: Our party supports the Jammu and Kashmir Reservation (Second Amendment) Bill, 2019. Our party is not opposed to Article 370 and the other Bill. We support this bill. More people of minority muslim community live in the entire country than in Jammu and Kashmir. They had not the right to make property in Jammu and Kashmir. Minorities, backwards and Dalits of the country will now get the right to go to Jammu and Kashmir and take property there and be called residents. Because of this, our party's leader Behan Mayawati Ji has decided to support this Bill.

SHRI V. VIJAYASAI REDDY: Now the problem of Kashmir will be solved. This bold step taken by the hon. Home Minister will be remembered in the Indian Parliamentary history for ever. Our Party President, Shri Jaganmohan Reddy Garu and our Party wholeheartedly support this move of the hon. Home Minister and the hon. Prime Minister of the country. Had Pt. Jawaharlal Nehru not succumb to the dictates of the then Kashmir Ruler for Article 370, we would not have been discussing this issue. Had this temporary

provision in the Constitution been abrogated by the Congress Party, we would not have been discussing this issue now. How can this country have two Constitutions? How can a State have two separate flags? How can a country have two Prime Ministers and a separate Governor? We had this in Jammu and Kashmir. How can a Kashmiri girl become untouchable and lose all her rights and her children's rights if she marries a boy from any other part of India? How can a boy retain all rights and privileges even if he marries a girl from other parts of the country? It is blatant gender discrimination. The people of this country have been fighting since 1947 to realize their dream of looking India as one nation, which is possible only because of the present Home Minister. I am very happy that the Home Minister is fulfilling the task that had been left out by Sardar Vallabhai Patel. This move will definitely strengthen the sovereignty of the country and will remove discrimination between citizens of India. This move will bring peace and tranquility in Jammu and Kashmir and will help to develop it and improve the socio-economic conditions of the people.

SHRI BISWAJIT DAIMARY: I support this Bill. This Bill is absolutely essential for the law and order, sovereignty and security of the country. With a view to containing the poor situation in Jammu and Kashmir, it is very important to bring about a change in the administrative system. It is not illegal to bring amendment. Any provision of the Constitution can be amended in accordance with the requirement in the country. When normalcy will be restored in Jammu and Kashmir, statehood can be conferred upon again by amending the Constitution. It is not a big deal. So, I thank the government for taking this strong decision. Now, Jammu and Kashmir being a Union Territory, the Central Government can formulate strategies on the border activities. Some other similar problems in our country also need to be resolved in the same manner. There are a number of communities in the Northeast that are demanding a separate State. To resolve the problem there, some constitutional provisions have been made through the Sixth Schedule. Even then, people are not satisfied and are demanding a separate State. In the Article 244A, there is a provision to establish an autonomous State

within a State. I request the Minister of Home Affairs to consider the implementation of Article 244A of the Constitution there as well. A provision for Union Territory can also be made for those who are seeking a separate State of Bodoland. It is important to solve all these problems.

SHRI VAIKO: Today, it is a day of sorrow because we have not kept our promise.When the Pakistani troops, Pakhtoons, entered the terrain of Kashmir, King Hari Singh sent the emissary to Jawaharlal Nehru. Lord Mountbatten was also there. Jawaharlal Nehru accepted it and the Instrument of Accession was signed. Sheikh Abdullah had supported it, but he had demanded a plebiscite. This was promised by none other than late Pandit Jawahar Lal Nehru. But, Sheikh Abdullah was put behind the bars in Kodaikanal prison in Tamil Nadu. But the promise of plebiscite was not kept. Today, Mr. Nazir Ahmed Laway did tear the Constitution here. I burnt the Constitution of India in 1986 on the issue of imposition of Hindi language and I was imprisoned. Then, I filed an affidavit in the court saying that I have burnt the Constitution of India. I was prepared even to be expelled. The Congress Party killed democracy. Now, what has happened? You have not only bifurcated. Nomenclature, it has always been changed. When the Puducherry is claiming for Statehood, you are equating Puducherry with Union Territory of Jammu and Kashmir and Union Territory of Ladakh. When the Kargil War took place, Atal Bihari Vajpayee was the Prime Minister of this country. Our Tamil boys sacrificed their lives in Kargil, we gave our lives for the protection of Kashmir. But, what has happed now? You have removed all the powers. The Statehood, a separate State, a separate Constituent Assembly, a separate Constitution, a separate flag, a Prime Minister, all these things were assured by the Congress Party. It is you who promised that. You did break the promise by toppling the Governments frequently. You played with the sentiments of the people of Kashmir. Army personnel in large numbers are being deployed there. Really, Kashmir should not become a Kosovo, an East Timor or a South Sudan. It will be internationalized by the United Nations. There are countries which are opposed to India. They will use this card. On one side, we have China. On the other side, we

have Pakistan. Then we have Afghanistan this side. From one side, we have Taliban and from another side, we have Al Qaeda. They will say that it has become a Kosovo, a South Sudan or an East Timor. The interference is going to come from the United Nations. Now Jammu and Kashmir has been made a powder keg. I am really worried about the future. This Bill should be rejected lock, stock and barrel. Fire is burning in the hearts and minds of the Kashmiri people. For powder keg, one spark is enough. That spark is the Bill. I oppose the Bill. This is a day of shame, murder of democracy.

DR. SUBHASH CHANDRA, making his maiden speech, said: I congratulate the Prime Minister and the Home Minister for bringing this amendment. I would also like to state the reason to this House. Parliament elections were held in Pakistan in 1994–95. At that time, Prime Minister Mrs. Benazir Bhutto banned the election campaign of Nawaz Sharif and Imran Khan on Pakistan's television. We sent our Zee TV's teams from London and ensure equal election campaign all over Pakistan. After that, the Judiciary Association of Pakistan invited me at dinner and they mentioned one thing that if your government abrogated the Section -370, the issue of Kashmir will end. After coming back from there, I asked from all the parties about the reason for not abrogating the Section 370. Everyone said that it should be removed, but it is a big political issue. Kashmir was acceded to the country in 1947, but the Section 370 was brought in the year 1949. Lives have been lost in Kashmir only because of the Section 370. If this Section was not brought, then there would be no disturbances in Kashmir. I believe that it is the responsibility of all of us that we create an environment of development and happiness and peace for the people of this country. I went to Kashmir last year for a Zee TV show in Baramulla, where 2,000 young people were present. I discussed with the youth openly. I came back to Delhi and told that every Kashmiri wants to stay with India but separatists do not want to let them do this. Those youth said that you people too do not consider the Kashmiris as terrorists only. We never consider Kashmiri people as terrorists nor are they terrorists. I fully support this bill. I request the members of the opposition that they must express their views so that their essential points can be incorporated too.

SHRI AMAR SINGH: The Minister of Home Affairs made it clear that now the legislative power of the Legislative Assembly rests with the House and under this, it is the right of the House that we make decision about the Article 370. Hon'ble Advaniji wrote in 'My country, My life' about the unnatural partition of the country. Thanks to his mediation both Dr. Ram Manohar Lohia and Pandit Deendayal Upadhyay had met. Lohiaji spoke of "Akhand Bharat" and India-Pakistan-Bangladesh federation and Deendayal ji spoke of "Akhand Bharat". If we look at the record of this House, it will be known that Dr. Lohia had said many times about "one country, one flag and one constitution" in this House. This mistake was made years ago in history. Kashmir was seen in a different position. A different law was made for it. It was separated from the main stream of the country. Today is a historic golden day to correct that historic mistake. We thank the Government for this specially.

SHRI BIRENDRA PRASAD BAISHYA: I rise to support this Bill on behalf of my party. It is my privilege and honour to associate myself with this historic movement of the country. We must congratulate the Government for this historic, bold and courageous step. For the last seventy years, Article 370 was in Kashmir. Maximum money was allotted for the development of Jammu and Kashmir. But Kashmir was not developed. Only a few persons developed personally. From today, I am sure a new journey will begin for Jammu and Kashmir for their development purpose. Like Jammu and Kashmir, Assam and other north-eastern States are also international bordering States. But earlier, there was discrimination. Jammu and Kashmir enjoyed Article 370, but the north-eastern region States and Assam were deprived from this provision. But from today, we will be equal. Today, we remember Sardar Vallabhbhai Patel, the then Home Minister of the country who reunited our country. We must congratulate the Government for reuniting the country again.

SARDAR BALWINDER SINGH BHUNDER: I stand to speak on the Jammu and Kashmir Reorganization Bill, 2019 on behalf of the Shiromani Akali Dal . We are and will always be in support of the unity and integrity of this country. The sacrifices made by our

people for it may be the highest. We faced the partition in 1947. We lost our 1 million people. We left our homes, chose this country and considered this country our own. So, we sacrificed everything. General Arora had made with 90 thousand soldiers to surrender. Our Generals like General Harbaksh and Air Marshal Arjun Singh always participated in the forefront of the war. But at the same time I also want to say with sadness that a lot of injustice was done to this community even after independence. We could never imagine that we will be massacred in our country and in Delhi. Even after 34 years, we have not got justice. We never thought that Harimandir Sahib would be attacked. Guru Tegh Bahadur gave his head to protect the minorities. Guru Gobind Singh Ji sacrificed his entire family for this country. I also want to say that we represent a minority community. The government should assure that there is no persecution of minorities anywhere. I stood for the unity and integrity of the country and support this bill and also want that the minorities should always be protected.

DR. SUBRAMANIAN SWAMY: Today will be remembered as a great day. Today, a great step has been taken for the consolidation of the unity of India.The Leader of the Opposition says that that Article 370 is the one that connects Jammu and Kashmir to India. If you look at the First Schedule, Jammu and Kashmir is mentioned clearly there. Hence, Article 1 has the feature that shows that once a part of India is part of the Union of India. Therefore, it can't be separated. Therefore, every inch of India, which is part of the Schedule, is inalienable. The Constituent Assembly of the State of Jammu and Kashmir concluded its proceedings in 1956. What did they recommend? Jammu and Kashmir will be integral part of India. What we are proceeding now is on the basis of law. Bringing in the Resolution was an additional recognition that this be informed to Parliament. Hence, on this basis, I say that the Article 370 removal was overdue and it was a temporary provision. Article 370 which prevents the people from outside to come to Jammu and Kashmir died the day 5,00,000 Kashmiri Pandits were driven out. Not a word was said in their favour or any attempt made to ask them to return. I also say that what remains now to be done is the Resolution passed by

Parliament unanimously, that the portions of Kashmir in possession, in name of Azad Kashmir in Pakistan, illegally occupied, will be taken back. This is a Resolution of this House and it was unanimously passed during Narasimha Rao's period. We also need to withdraw the petition filed by Pt. Jawaharlal Nehru in the United Nations Security Council because it was done without the permission of the Cabinet of Jawaharlal Nehru. Why is opposition objecting to the question of temporary provision being removed? They are objecting to it because of the fact that there is a vested interest in that. As long as Article 370 is there, other elements will take advantage of it. Return of the territory in the possession of Pakistan is the next agenda item for us, and I hope the decisiveness with which the Prime Minister and the Home Minister have taken the steps, they will take the next step as per the Resolution of the Parliament.

SHRI SASMIT PATRA: I support the Statutory Resolution relating to Article 370, the Jammu and Kashmir Reorganisation Bill, 2019 and the Jammu and Kashmir Reservation (Second Amendment) Bill, 2019. The question today before us is, with Article 370 was Kashmir a part of Bharat Ma? No, it wasn't. It was always away from us and Article 370 kept it away from us. Today with Article 370 going, it is truly a part of Bharat Ma and I thank the Government for this. In terms of Reorganisation of Jammu and Kashmir, Ladakh is in a strategic position within the country. The Kargil war reminded us one thing that we must protect Ladakh in all respects. And, today, with this Reorganisation Bill and Ladakh being made as UT without Legislature, it is in the right direction which will ensure that national security is protected. Jammu and Kashmir as UT is also extremely important, because we are seeing, over the past decades, how it is being used for political opportunism. We hope that the Government, through the Reorganisation Bill, will also ensure that law and order prevails appropriately. I would like to say something about the Jammu and Kashmir Reservation Bill. Today, since Article 370 is being scrapped, the J & K Reservation Bill will completely become void. We must pass this Bill and ensure that our Kashmiri brothers and sisters are together with us. I urge the Government to Bring out Kashmiri Pundit brothers and sisters back to their homeland.

SHRI T.K. RANGARAJAN: Today is the black day. Government did not consult the people of Jammu and Kashmir or Ladakh. Government dissolved the Assembly. Government don't want to hold any election. It has taken 35,000 Armed personnel there. You are creating another Palestine! Tomorrow you can do anything with any State. Tomorrow you can bifurcate any State. So, the Constitution itself is in danger. Our party, CPI(M), warned the people before election that RSS-BJP will destroy the Indian Constitution. They will destroy the Indian unity. So, my party is very sympathetic towards the people of Jammu and Kashmir. I would like to remind, on behalf of the entire opposition, one thing. There are some opposition parties which supported it. They will also realize it tomorrow. The life of the Kashmiri people, the future of the people of Jammu and Kashmir, the future of the people of Laddakh is in danger. You are Hindus and you are cancelling the Amarnath Yatra! In the name of Hindus, you are destroying the Hinduism. We fully oppose this Bill. We stand with the people of Jammu and Kashmir.

DR. NARENDRA JADHAV: I rise to strongly support this Statutory Resolution and the Bill. I heartily commend the hon. Prime Minister and the hon. Home Minister for their political will to bring forward this historic Bill. Something that could not be done for seventy long years, by successive Governments, has finally been done. I strongly support the Bill because it is perfectly consistent with the Constitution of India; it is also consistent with the spirit of debates in the Constituent Assembly. It must be remembered that Article 370 was placed by Dr. B.R. Ambedkar in the Constitution as a provisional one. The option of deleting the provision was implicit. But, it took us seventy long years to do it. This Bill finally establishes equality among all Indian citizens that is enshrined in our Constitution. This historic move also extends reservation to all marginalized strata of society in Jammu, Kashmir and Laddakh. This great move will pave the way for much needed economic growth of Jammu, Kashmir and Laddakh. With the reorganization of Jammu, Kashmir and Laddakh, especially with Laddakh emerging as a separate Union Territory, the opportunities for economic growth and human development would be opened up for the poor people of Laddakh.

PROF. MANOJ KUMAR JHA: I oppose the things that have happened about Article 370. I know the saga of the making of Article 370. I also know the history of merger of Kashmir in India. Today I am saying that the government has a majority, it should catch good ideas and leave bad thoughts. We are opposed to your lack of constitutional beliefs. We are against this brutal murder of constitutional history. I have to say with profound grief that the narrative you are running will also end in the coming time. I beg you to renounce the ego, embrace the Kashmiris and then Kashmir will automatically embrace you. I feel sad that you have separated it. If the day is historical, then vision should also be historical. I say this with firm resolution before you that after five years, it would be said that there were some people in the House who had warned their government.

SHRI TIRUCHI SIVA: I oppose this Statutory Resolution and the Bill that has been introduced which is unconstitutional and unwarranted. Article 370(3) only provides the power to the Government to withdraw. If it has to be done, it is only with the consent of the State Legislature. But the Legislature is not there. The Supreme Court has given the judgement that Article 370 is permanent and it is not temporary. After deep deliberations, this Article 370 was provided giving special status to the people of Kashmir for various other reasons. The stakeholders have not yet been consulted. All of a sudden, the Government comes with a Statutory Resolution and a Bill. we are afraid that in future the Government can convert any State into a Union Territory. Once this 370(3) is withdrawn, 35A has gone and anyone can go there. It has been done when the President's Rule is there. The Government should justify its urgency. Can you give us an assurance that this would not be repeated with any other State We oppose this because it is against the Constitution and it has not taken into consideration the views of the stakeholders, the people of Kashmir and the elected State Legislature there.

SHRI HISHEY LACHUNGPA: I support the Resolution and Bill related to Jammu and Kashmir. This step will definitely strengthen the unity and integrity of the country and help the country

in peacefully running it. But the Government should not compare this with Article 371(f) because Sikkim joined India on it own through referendum. I also support the demand for creation of Bodoland Union Territory.

SHRI SHAMSHER SINGH MANHAS: It is a matter of great pride for me today. We have always been against Article 370 since 1947 till today. If Sardar Patel had been given the responsibility at that time, then this Jammu and Kashmir would have been merged like 582 princely states all over the country. The way attempts were made to tear the constitution here today and those who supported it should be punished. Our ancestors at that time could not take the Constitution in their hand, could not touch the Tricolour. Many elections were held in such an environment. We could not boycott the election. Whenever we used to go to fill the nomination form to contest elections, our forms used to be rejected. Jammu and Ladakh regions have always been discriminated. An attempt was made to spoil the atmosphere in Kashmir. Every day some incidents take place. Had there not been Article 370, there would probably not have been terrorism. There was a concern in the minds of the people of Jammu, who will be the person who would come to save us, who would do justice to us. We have faith in our government, on our leadership that it will not allow us to be victim of injustice. Today, more than 9 lakh youth are unemployed here, but those youth have not been taken care of. Over five lakh refugees were displaced from Kashmir. Pandits were removed from there. There are many people who were entitled to citizenship but due to article-370, they have not got citizenship till date. Today, after passing of this resolution, the youth will get employment and those eligible for citizenship will get citizenship there. I thank the Hon'ble Prime Minister and the Home Minister that they considered us worthy that we too can come within the ambit of India.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Article 370 was inserted by virtue of transitional provision in 1949. Since then thousands of people have been killed, terrorist activities have increased and developmental activities have been curtailed. People

living in areas along the international border in Jammu and Kashmir did not get the benefits in respect of recruitment, education etc. By virtue of this Reservation Bill, they may now get the benefits. The people of Ladakh region had this long-pending demand to treat this region as a Union Territory. That can also be fulfilled. The people of Jammu and Kashmir had been living with an insecure feeling. Afte strong implementation of this Bill, the people of Jammu and Kashmir must be feeling relieved from all these tensions and they can live happily now. Now, Jammu and Kashmir has become a part of our country and the people Jammu and Kashmir will also get the same benefits of development, reservation, employment and in all walks of life as that of rest of the country. The implementation of this Bill will remove the difficulties faced by the people of Jammu and Kashmir. The desires and dreams of the Kashmiris had not been fulfilled for the last six decades. Now, I hope and wish that this Bill will bring happiness in their lives. On behalf of the Telugu Desam Party, I support this Bill and hope that it will work out to be beneficial for the people of Jammu and Kashmir.

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD): The Bill on which I had to speak today and the Bill which was in the List of Business for discussion in the Rajya Sabha was - The Jammu and Kashmir Reservation (Second Amendment) Bill, 2019. I came thinking something for this discussion but this discussion has got no meaning now. After my birth and in my political life, I never thought that with that state, which is the head of our India, this head will be cut off one day. I will say about reservation for economically weaker sections that this bill has come in the country after 70 years. There are people of Ladakh, there are people of Jammu and there are people of Kashmir. I came in support of it on my behalf, because I believe that poor people are not just in one religion or one caste. I have also seen Muslim, Dalit, backward and forward poor. Poverty itself is also a religion and also a caste. When this was not implemented for 70 years, the skies would not have fallen if it was applicable even after 6 months. But for the last one week, the whole of Jammu and Kashmir and Ladakh were troubled by different rumors. Nobody understood what was going to happen. The

concern was not only with the Kashmir Valley but also for Ladakh. When I speak of Jammu, I talk about it in a whole which includes all the cities. There are 10 districts in Jammu. People of all religions live in these districts. In these 10 districts Jammu has a population of Hindus. Perhaps there was no concern for an ideology. When hon'ble Home Minister came here, there was an explosion that was looming large for one week from now. Every where fear was wide spread and written advisories given to hospitals to restrict doctors not to proceed on leave. I got a copy of Kargil Deputy Commissioner's order that no officer will be able to take leave till the lower level. There is a central university, NIT there, where more than 500-600 children from all over the country study in Kashmir Valley. For a week there has been an atmosphere of fear, owe and a terror in Jammu and Kashmir especially in Kashmir valley and some districts of Jammu province. Jammu and Kashmir remained the subject of discussion in the world since 1947. Perhaps none of them would have guessed that not one of these but four or five things will be read by the hon'ble Home Minister in a single order. This bill is of 57 pages. Our Parliament rules state that the bill should come two days before, so that we read and give amendments thereto. Here, one state is being deleted from the map of India. We had 29 states. Do you have 29 states in this bill? That state is not just the head, it is Sartaj. The state is associated with China, Pakistan and PoK. Mainstream political parties of Jammu and Kashmir have always fought Pakistan side by side with the army. Unless the people there will not tell you the news, till the people here will not tell you the hiding places there, even if you keep fighting for a thousand years, you will not reach anywhere. Because our people, who were nationalist people, who wanted to live in Hindustan and considered Hindustan as their country, always used to report these to our security forces. Most of the resources were with our Kashmiris. I give credit to the people of Kashmir for the achievements which have been made there. Maharaja Hari Singh compromised to stay with India. The people of Kashmir did not consider Pakistan to be their country despite being of the same religion. They considered Hindustan as their country, they adopted the secularism of India. Today you have betrayed that trust. We were born

in free India. But I speak of those who are still alive and have pinned there belief in you and are still living here. They had believed in Pandit Jawaharlal Nehru and Sardar Patel for security from them. They will not spoil our culture and will not play with our emotions. These mainstream political parties have been harmed and along with that our army, police and CRPF have also been harmed. Today marriages of people living in Jammu and Kashmir are happening all over the country. This much integration has happened in the last 20-30 years. Today you have laid the foundation to disintegrate it. Legislation does not lead to integration, integration is from the heart. If you integrate hearts then there is no need to make any law. No matter how many constitutional amendments you bring around the world, no one can keep you together if you do not let hearts meet. I do not talk about a Muslim. I speak of Hindu, Muslim, Sikh, Christian, Buddhist. For me all are one. All are people of Jammu and Kashmir and Ladakh. You have so much fun with Jammu and Kashmir. From President to Governor, from Prime Minister to Chief Minister and now you are going to bring it to the level of Lt. Governor. Because of history, because of beauty, because of culture, because of tourism, Jammu and Kashmir was known in the world and you are going to make it a union territory. There is no question of Hindus and Muslims. It is very easy to say. Do it in your state and then see what happens. But don't take this politics so easily. You should know that you are changing the history of India. You don't get so intoxicated in the wake of power that you forget what you are doing. You have erased the history of a state, you only know geography. The history you had read twenty years ago was of the Buddhist nation. Now Ladakh is an area with a vast majority. Leh had wanted a Union Territory thirty years ago. I went to negotiate on behalf of the Government of India. We persuaded it for a hill council. But Kargil still had a demand that it did not want to live with Ladakh. Now you gave Ladakh the status of a province and you also had to forcefully keep its capital both in Leh and Kargil. Ladakh, which was the most peaceful area of our Jammu and Kashmir. You have started a new war between the Buddhists and the Shia Muslims there. Now you will pick up a person from your party and make him Lt. Governor and

he will solve the issues of Jammu and Kashmir. You do not rule India only, you rule the whole world. But you did not understand such a small thing that now the Lt. Governor will run Jammu and Kashmir. I regret your thinking. You are about to create a new India. You are also playing with the history of India not only with its integrity but its culture too. You are doing it only for vote. This will be a black spot in the history of India. Today you are abolishing Section 370 and abolishing 35-A from Jammu and Kashmir and delimiting without the consent of the residents there. When people came from Pakistan in 1947, the slogan in Kashmir was, "The Kashmir which we have irrigated with our blood is ours". You have erased that history. You are not showing a good idea, you are trying to bring a law on the basis of your strength, but you will fail to bring it in the hearts of people.

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