

**SHRI S. KRISHAN KUMAR:** For the development of wind energy in the country, the potential is estimated at 8000 MW for the country as a whole, as per the current estimates. About 98 wind monitoring stations have already been established in the country, covering 19 of the 22 States and the Union Territories. 53 wind monitoring stations have already firmed up the viable capacity available; and this is more than 2500 MWs. 600 MWs have been identified in Tamilnadu; 900 MWs in Southern Andhra Pradesh and about 1000 MWs in the coastal regions Gujarat. Wind mapping is going on in all the States and regions including the North-Eastern region. The approach of the Government is to pur up demonstration projects directly with the government help wherever private entrepreneurs are not available. But the major thrust for a bigger programme is going to be attracting private entrepreneurs into the non-conventional energy fields for which a large number of incentives have already been announced the depreciation allowance, reduction in customs and excise duties, tax holiday, for instance, for the north-East for generation of power, etc. Than, we have had discussions with the North-Estren Council and a master plan is being prepared for the development of non-conventional energy sources which is specific to the requirements of the North Estern region.

**SHRI RAM KAPSE:** Sir, we are inserted in non-conventional energy schemes and devices specifically because it is useful for remote areas and it is environment friendly. The Minister has said that 'the projects have generally become commercially biable'. I would like to know the areas where it is not commercially viable.

Another query will be abut the incen-tives given and the figures shown in Annexure I. They are giving financial assistance to the manufacturers and the users as well. The number as we get from Annexure I is like

this: For the Community/institutional biogas plants programme, the cumulative achieve-ment upto December 1992 is given as 865; battery operated vehicles is 154; and alco-hol operated vehicles is 25. I would like to know as to what are the reasons for such a small number in these fields.

**SHRI S. KRISHAN KUMAR:** The energy generation efforts in the non-con-ventional sector which have already been established as viable are in the areas of wind power, small hydro-power, solar photovol-taic, solar thermal, biomass based cogeneration and biomass grassfires. We have, as has been listed out, about 22 major programmes. For five or six programmes, the viability has been established. Other programmes are at various stages of devel-opment. In some of these programmes, such as the one which the hon. Member has mentioned, the cost, as of now is a little high.

This is due to the technological gap, due to lack of market and lack of sufficient production base, and so on. Some of these things will take time because in the world itself, these technologies have not yet been established and commercialised. So, this is an ongoing process.

### **Updating of Voters List**

\*206. **SHRI ATAL BIHARI VAJPAYEE:**  
**SHRI SHANKERSINH VAGHEL:**

Will the PRIME MINISTER be pleased to state:

(a) whether the Election Commission had directed the Eastern States, including West Bengal, to update the list of voters excluding those who were residing in India illegally;

(b) if so, the details thereof;

(c) the extent to which these orders

have been implemented in each of the States; and

(d) the estimated number of such illegal residents in India who are still on the voters lists and the action-plan of the Government in this regard.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) and (b) The Election Commission has ordered the intensive revision of electoral rolls with reference to 1.1.1993 as the qualifying date for the entire country except the State of Jammu and Kashmir. Statement showing details of the instructions are contained in the scheme of special enumeration procedure, a copy of which is laid on the Table of the House.

(c) The directions of Election Commission have been implemented in all the eastern States except in Kishanganj District of Bihar where re-enumeration has been ordered.

(d) Under the provisions of article 326 of the Constitution only Indian citizens are entitled to be registered as voters. Every possible care is taken at the time of preparation of electoral rolls to ensure that only eligible persons are included. The special enumeration procedure formulated by the Election Commission is also a step in this direction.

#### STATEMENT Scheme

Intensive revision of electoral rolls with reference to 1.1.1993 as the qualifying date—Special enumeration procedure in areas having substantial presence of foreign nationals.

The Commission has directed that the following procedure should be adopted in areas where there is a substantial number of foreign nationals:-

1. The assembly constituencies where

there is a large-scale presence of foreign nationals should be identified first by the State Government authorities concerned and within each assembly constituency the polling areas having a substantial presence of foreign nationals should also be likewise identified by those authorities.

2. In case the enumerators are to cover more than one polling area in two or more rounds, top priority should be given for the identified areas and enumeration of these areas should be taken up first and the enumeration work should be completed there by the 31st August, 1992.

3. The enumeration of the households in the identified areas will be done in the case of other areas by house-to-house visits by enumerators and collection of requisite information about occupants of the dwelling units in the polling area in the existing electoral cards.

4. The information collected by the enumerators for the given areas should be consolidated for each assembly constituency and furnished to the District Collector/Dy. Commissioner/Distt. Magistrate/Distt. Officer.

5. The District Collector, etc., shall get the names in these consolidated lists in respect of each assembly constituency verified through the police/intelligence agencies or such other authorities as may be considered appropriate by them, with particular reference to the citizenship of the persons enumerated as per the consolidated lists.

6. The question of citizenship of each individual included in the lists should be divided either way by the District Collectors, etc., by the 7th October, 1992.

7. Electoral Registration Officer will thereafter prepare a draft electoral roll on the basis of the lists verified by the District Collectors, etc. In the draft electoral roll, Electoral Registration Officer shall include only those names which are certified by the District Collectors, etc. as Indian citizens after verification.

8. The draft rolls so prepared shall be published inviting claims and objections alongwith draft publications of rolls of other areas.

9. Any person who is enumerated by the enumerator in the identified area but whose name has not been included in the draft electoral roll on the basis of the verification of citizenship made by the District Collector etc., can, if he so desires, file an application for inclusion of his name in the prescribed form 6 appended to the Registration of Electors Rules, 1960. In such a case the onus of proof that he is a citizen of India is on the applicant who has filed a claim application. The Electoral Registration Officer will decide such case on the basis of the evidence adduced by the claimant. He can also make use of information furnished by the District Collector, etc., and any additional information available with the District Collector, etc., in relation to that person on the basis of which the District Collectors, etc., had decided that the person is not an Indian citizen.

10. Publicity about the special enumeration procedure may be given through the print media, electronic media and by other means so that all those interested can held in the preparation of an error-free electoral roll.

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, though my question has been replied yet it is incomplete, and hence, unsatisfactory. Just now you were saying training is required to ask question. It seems that training is also required to give reply. Please go through part (d)

[*English*]

"The estimated number of such illegal residents in India who are still on the voters lists.."

[*Translation*]

And its reply is:

[*English*]

"Under the provision of article 326 of the Constitution only Indian citizens are entitled

to be registered as voters."

[*Translation*]

Who does not know about it? Is any new information being given? Is reply to my question being given? If the hon. Minister does not have statistics with him, he should have them with him.

Mr. Speaker, Sir, large number of foreigners are coming to India from across the borders setting down here and succeeding in getting their names registered in voters' lists. We all know what alarming dimensions this problem has assumed in Assam and yet the Government does not have any statistics, it has not made any estimate it is quite unaware of this problem, but it can't give such reply to the House.

Mr. Speaker, Sir, please make short comment on it. Now, please look at the reply given further.

[*English*]

"Every possible care is taken at the time of preparation of electoral rolls to ensure that only eligible persons are included "

[*Translation*]

Enumeration of voters lists is going on in Delhi and more than one lakh names have been deleted in Delhi alone. Does the hon. Minister not have information about Delhi? Mr. Speaker, Sir, at least there must be some figures about it. If Bhardwaj ji gives suitable reply to my question., then I may ask the next supplementary. Suitable reply to my question has not been received...(*Interruptions*)

No, there is not any estimate. Mr. Speaker, Sir, we must understand it very clearly that if the tendency to evade the problems continues, it may lead to explosion. This question is being evaded. Mr. Speaker, Sir, there is one more reply.

[*English*]

"The direction of Election commission have been implemented in all Eastern States except in Kishanganj District of Bihar. "

[*Translation*]

Let my friend Shahabuddinji worry about Kishanganj, I am worried about whole of Assam. Is it true that the Government of Assam has declined to comply with the directives of the Election Commission?

It is a fact that enumeration of electoral rolls in Assam has been stopped? Is it a fact that the Government of Assam is taking plea of the I.M.D.T. Act under which it will be identified who is a foreigner and as to how his name is to be struck out from the tribunal, if there is any contradiction between the directions issued by the Central Government and the Election Commission and the stand taken by the State Government, then Shri Bhardwaj should clarify as to how he proposes to solve this tangle.

SHRI H.R. BHARDWAJ: Mr. Speaker, Sir, I would like to reply to the question regarding Delhi first. 49,799 applications have been received from 13 Assembly segments in Delhi. The final list was to be published up to 9th March after resolving claims and counter-claims. Therefore, with regard to the final list I would submit that it will be published after closed security. This job has been thoroughly done in Delhi. The number of total complaints received by us was slightly below 50,000. Complaints were received from 13 constituencies. I hope it will convince the hon. Member. Now I would like to tell about Assam.

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, why did not the hon. Minister give these figures in his reply.

[*English*]

SHRI H.R. BHARDWAJ: I got it for the supplementary, Sir, Delhi was not in the thrust of the question. You will see that the thrust of the question is on Eastern States. I have got the information collected for Delhi and I have given all the information I have. If it satisfies him, I will be very lucky.

I quite see the position of Assam and nobody knows more than the honorable Vajpayeeji that the problem is there. Nobody disputes it that in Assam, it has become difficult to detect illegal immigrants. Now, pursuant to that, if you want to know what we have been doing in Assam from

1967, 1971 upto 1992, I can give you those figures also as to what has been done under various laws. We have got figures from 24th March 1971 to September 1992. There were enquiries conducted relating to these illegal immigrants and they were 2,87,836. All these enquiries, except a few, have been made and cases to the tune of 24,651 were referred to the tribunals and tribunals have disposed of 10,355 cases out of which 8421 have been found to be illegal immigrants. Before that, from 1966-71, there are other figures. There were 5,9841 investigations made and cases referred to the tribunal were 33167 and 18,590 and odd cases have been disposed of by the tribunal. The number of foreigners detected were 17272. These are the few things which we have got.

With regard to the basic question that there is an allegation that there are illegal immigrants in Assam, earlier there were two laws which were passed under this Act under which the tribunal was constituted. It seems that the Election Commission is not satisfied by the detection of illegal immigrants there. So, he has ordered for special enumeration. I will not go into whether the procedure suggested by the Election Commission is absolutely in accordance with law or not because after all, Election Commission is a constitutional authority and it has its own way of marking orders. But with regard to intensive revision of rolls, there is a procedure set out Representation on the people Act and the Registration of Electors Act. Section 21 and Rule 25 are there according to which revision has to take place. Under that Act, these guidelines, which are placed on the Table of the House, are special directions issued by the Election Commission, and I find that in the order of the Election Commission, Assam Government did find some difficulty in implementing that order. If you want, I may be permitted to read what they have said. But this precisely not in defiance of the order of the Election Commission. They have made a plea before the Election Commission. With your kind permission, I may read what it says:

"It is apprehended that the procedure laid down by the Election Commission"

Mr. Speaker: You can give a gist of it.

SHRI H.R. BHARDWAJ: I will just men-

tion it briefly, Sir.

MR. SPEAKER : Then you have to lay that paper on the Table of the House.

SHRI H.R. BHARDWAJ: They have said that it is creating a little problem for them and they have explained that problem. Election Commission, as usual, is very firm and it is saying, "No, you have to have this enumeration done by this procedure." The state Government and the Election Commission are coming round to find a particular solution. Such an experienced honourable Member will kindly appreciate that it is not something that the total blame is to be put on the State Government. State Government trying to cooperate but they have to adjust with various laws like Citizenship Act, Illegal Migrants Act and Representation of Peoples Act.

There are grey areas on both sides and these will have be adjusted.

SHRI ATAL BIHARI VAJPAYEE: I am not blaming the State Government. I always blame the Central Government. Is the hon. Minister in a position to give an assurance to the House that the directives of the Election Commission in regard to the enumeration of voters' lists will be implemented in toto Assam?

SHRI H.R. BHARDWAJ: The directives have been given to the State Government and not to me! I hope he will appreciate it!

SHRI ATAL BIHARI VAJPAYEE: May I know what advice the Central Government is going to give to the Assam Government?

MR. SPEAKER: To comply as per the rules.

SHRI ATAL BIHARI VAJPAYEE: The question relates to electoral rolls and conduct of elections. You cannot wash away

your hands just like that.

SHRI H.R. BHARDWAJ: I am not washing my hands. I want to keep my hands clean. Therefore, I will cooperative in the implementation of the Election Commission's directives and give all assistance to both the sides - Election Commission as well as the State Government.

SHRI KIRIP CHALIHA: The problem of foreigners in the voters's lists in Assam is a serious problem. This laughter and these jokes hurt us a lot because this is a very serious problem. We have seen various movements and various kinds of agitations going on in Assam. Even the extremists have taken up this cause. Therefore, we have to deal with this problem in all seriousness. There is one inherent contradiction in the approach for detection of foreigners. We have the Illegal Migrants Act only for Assam. Why is it so? Cannot we have uniform policy all over the country to detect foreign nationals and to have the voters' lists free from foreign nationals, in which no localised laws can create any impediment? In Assam, we have been blaming people who have taken recourse to some kind of chauvinistic and isolated roles. But unfortunately, we ourselves are giving scope to this kind of isolations. We go in for autonomy to tribals only in the case of Assam.

MR. SPEAKER : Please come to the question.

SHRI KIRIP CHALIHA: We go in for autonomy for tribals only in the case of Assam and not in the case of the rest of the country. We go in for voters' lists only in the case of Assam and not in the case of other States.

There must be some uniformity! Will the Minister give an assurance that uniformity will be maintained while dealing with the problems of either Assam or Kashmir or

Tamil Nadu for that matter, in principle?

SHRI H.R. BHARDWAJ: The Assam and West Bengal immigrants have a history behind them. Simply, it is not that it has come suddenly. This is well-known history as to how these people come to be settled there. That is why, they have been dealt with from time to time, from certain cut off dates to certain cut off dates and so on. And the process of negotiation has gone on. And the process of negotiation has gone on in this way, I personally feel that if this exercise of revision of roles according to the specific scheme is done and if all concerned cooperate, this problem can be sorted out.

SHRI SYED SHAHABUDDIN: Mr. Speaker Sir, the hon. Minister has just told us that there are some grey areas in the laws pertaining to identification of foreigners and the deletion of their names from the electoral roll. I find grey areas in this special scheme for laying down the enumeration procedure issued by the Election Commission. I refer to paras 1, 5 and 6 of this scheme. In para 1, it speaks of assembly constituencies with a large scale presence of foreign nationals. Then it speaks of whole areas having a substantial presence of foreign nationals. Now, these are stated as matters of fact. On what basis are the authorities to determine which areas or which constituencies come under this definition? There has to be some specific criterion like abnormal rise in the number of voters or abnormal rise in the population. Some such specific criteria must be there. Otherwise, it is just vague. How do you define those constituencies and those polling booths?

Then in paragraph 5 he says: "Once the list is prepared by the enumerator, the collector shall get the names verified through the Police/Intelligence agencies or such other authorities". I cannot imagine whether the verification of very single name in the electoral list can be carried out within a definite period

by the collector. I would like to know from the hon. Minister, what is meant by 'such other authorities'; does it mean private authority like the political parties giving out the list?

Thirdly, Sir, in Paragraph 6 it says: "The Collector shall decide about the question of citizenship." My question to the hon. Minister is, what is the criteria for defining the constituency where there is large scale presence of foreign nationals: what is meant by such other authorities and, finally, under what law of land does the Collector have the power to decide the question of citizenship of a person who claims to be a citizen?

SHRI H.R. BHARDWAJ: We are basically concerned with the revision of rolls and in that process you cannot decide the question of citizenship. If a person is not a citizen of India, he is certainly not entitled to be registered as a voter. That is the basic law. It is precisely given in the laws as to how the Election Commission and authorities subordinate to the Election Commission should decide about it. I submitted at the outset that Section 21 read with Rule 21 is the precise answer. Taking into consideration the nature of the problem, the Election Commission seems to have enhanced the scope of Rule 21 and Section 21 and this is where the Assam Government did point out the difficulties.

MR. SPEAKER: Let us not discuss the matter between the Election Commission and the Government.

SHRI H.R. BHARDWAJ: Sir, the question of citizenship is decided by the forum and the question of detection of illegal migrants is decided by another forum. Collector is the authority in the Election laws and he is also a deciding adjudicating authority in the Citizenship Act. So, the difficulty arises because of some conflict of authority otherwise, it is the concern of everybody that the Indians alone should be allowed to vote.

MR. SPEAKER: What is the criteria for selecting these areas?

SHRI H.R. BHARDWAJ: The Election Commission has asked the state Governments to locate these areas where there is large scale presence of foreign nations.

SHRI SYED SHAHABUDDIN: On what basis and what it means by 'such other authorities'?

MR. SPEAKER: Other authorities mean, Revenue authority and so on.

KUMARI MAMTA BANERJEE: Sir, you will appreciate that every citizen of this country is entitled to be a voter. But, in my constituency in West Bengal thousands of genuine voter's names have been deleted from the new voter's list. I seek your protection. More than 60,000 genuine voters' names have been deleted from the list only to see that in the next election we face a defeat. I would like to know from the hon. Minister whether he will investigate the matter and ask for a special drive to enlist the names of genuine voters.

SHRI H.R. BHARDWAJ: Sir this does not arise from the main question but I have noted down her problem.

KUMARI MAMTA BANERJEE: What is this, Sir? You should do justice.

[*Translation*]

SHRI MADAN LAL KHURANA: Mr. Speaker Sir, in part (d) of the reply  
(*Interruptions*)

[*English*]

KUMARI MAMTA BANERJEE: My question has not been answered. I seek your protection, Sir. You ask the Minister to reply. I have given a specific case of my

constituency where more than 60,000 genuine voter's names have been detected.

SHRI H.R. BHARDWAJ: Let me have her complaint and then I will forward it to the Election Commission.

[*Translation*]

SHRI MADAN LAL KHURANA: In part (d) of the reply it has been Stated;

[*English*]

"Under the provision of Article 326 of the Constitution only Indian citizens are entitled to be registered as voters."

[*Translation*]

I would like to know whether Government proposed to issue Identity Cards or register the names in order to identify Indian Citizens.

[*English*]

SHRI H.R. BHARDWAJ: That questions to whether Identity Cards can be issued is pending consideration.

SHRI ANNA JOSHI: Sir, it has been revealed in the discussion that names of thousands of people who were residing in India illegally have been dropped. May I know from the hon. Prime Minister, what directions or what action they are taking against these people who are found residing in India illegally.

SHRI H.R. BHARDWAJ: They have been treated as foreigners and action against them is to be taken under foreigners Act. There are various methods of dealing with the foreigners.

SHRI ANNA JOSHI: Have you given that list? (*Interruptions*)