

Title: Discussion on the Passport (entry into India) Amendment Bill, 2000 .(Bill passed)

1700 hours

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): Hon. Chairman, Sir, I beg to move:

"That the Bill further to amend the Passport (Entry into India) Act, 1920, as passed by Rajya Sabha, be taken into consideration."

As the hon. Members are aware, the 'Entry into India' was governed by the Indian Passport Act, 1920 which requires that persons had to be in possession of a valid document for entry into this country. At this time, the same Act also governed the exit of persons from the country. In 1967, this Act was amended and was bifurcated into two by providing a separate law for persons exiting the country. Consequently, the Act was enacted, and at the same time, the Indian Passport Act, 1920 was renamed as the Passport (Entry into India) Act, 1920 which is being amended now. Sub-section 3 of Section 3 of this Act provides *inter alia* that any contravention of the rules made under this Act, namely, the Passport (Entry into India) Rules, 1950 or any of the orders issued under the authority of any such Rules shall be punishable with imprisonment which may extend to three months or with fine or with both.

It is only with this purpose and keeping in view the problems of illegal migration, clandestine activities, such as smuggling of arms, ammunition, narcotics, movement of persons having links with terrorist organisations warrant a substantial enhancement of the penalty under the Passport (Entry into India) Act.

So far as the Passport Act, 1967 is concerned, that Act has such a provision where the penalty is on the higher side. But unfortunately, all these years, the penalty was only three months imprisonment, and the quantum of the fine was not at all mentioned in the Act. It is for this purpose that this Bill is being brought.

After giving this matter a careful thought, it has been decided that the best is of achieving this objective would be by bringing penalty in this Act at par with that, which was provided in the Passport Act, 1967. Accordingly, this Bill has been placed before this august House. Now, the penalty would be enhanced to imprisonment for a term which may extend to five years, and the fine has also been quantified, with a fine which may extend to Rs. 50,000 or with both. Another Section has been provided for the second or repetitive offences. In the case of a second conviction under this Act, all the penalties would be doubled. The third provision is only consequential. But basically, this Bill has been brought so that the penalty in this Passport (Entry into India) Act is made really preventive, really deterrent. With the earlier provision, three months imprisonment and no quantum of fine mentioned therein, it was not at all working as a deterrent. In the present situation and the security scenario as prevailing in the country, I think, it is very urgently needed that we have some such provision in the Passport (Entry into India) Act. For this purpose, I commend it to the august House that this Bill, as has been passed in Rajya Sabha, may also be passed unanimously. Thank you very much.

MR. CHAIRMAN : Motion moved:

"That the Bill further to amend the Passport (Entry into India) Act, 1920, as passed by Rajya Sabha, be taken into consideration."

SHRI RAMESH CHENNITHALA (MAVELIKARA): Mr. Chairman, Sir, I rise to support this piece of legislation. This is for a limited purpose, and I welcome this Bill.

As rightly pointed out by the hon. Minister, this is a deterrent to discourage the terrorist activities in our country. This will also prevent the people who are smuggling arms, illegal migration, and act as a deterrent against people who are involved in clandestine activities.

Looking at the changed scenario and the security aspects, this insertion of the new clause is very much essential. The Passport (Entry into India) Amendment Bill will be very much helpful for preventing these kinds of clandestine activities in our country. We are all aware that the ISI activities are increasing, and the separatist and the terrorist forces are trying to create a lot of trouble in our country. Cross-border terrorism is also increasing like anything.

Sir, by looking at all these issues, I feel, insertion of this new section would be very much helpful.

Sir, when we are discussing matters relating to passport, a few very important points come to my mind. I come from a State where a large number of people are working abroad, especially in the Gulf countries. Unfortunately, our people are facing a lot of difficulties in getting the passports. We are not in a position to provide them employment so it is our duty to at least give them passport and other facilities when they are seeking employment outside the country.

Sir, we have three passport offices in our State. One is at Trivandrum, one is at Calicut and the third one is at Cochin. All these three passport offices are flooded with applications either for issuance of passport or for renewal of passports or for some other purposes. All these applications remain pending with these offices. There is no speedy disposal of these applications in these passport offices. We have been receiving a lot of complaints from our people about this. Earlier it was decided to have some kind of an Advisory Committee, attached to each passport office, comprising of the Members of Parliament from that area. But that proposed Advisory Committee was not constituted. Also, earlier there was a system where an officer from the Passport office used to go to the various districts and conduct some kind of an *adalat* for early issuance of passports. But that system now has been discontinued. As a result of this, a large number of people are facing a lot of difficulties in getting the passports and their applications are pending and they have to face a lot of harassment.

Sir, the Members of Parliament from Kerala are sitting here. They know the kinds of difficulties we are facing. When we contact the Passport offices they say that they are short of staff. Enough staff is not available in the Passport offices to scrutinise the applications for renewal and issuance of passports. The inordinate delay in issuing passports to the applicants is detrimental to the interest of the people who are seeking jobs outside the country. I would like to request the hon. Minister to streamline the functioning of the Passport offices so that the issue of passports could be expedited. The legal formalities should be completed within a specific period so that our people could get their passport and seek jobs outside the country.

Sir, my second point is about the renewal of passports. Renewal of passport is a necessity after every ten years. Even the people who are coming from the foreign countries also are facing a lot of difficulties in getting their passports renewed. My point is this. Why can we not simplify the procedure so that the people who are coming from outside get their passports renewed as early as possible? I can cite umpteen number of cases where people have lost their jobs for non-availability of passports in time. I would like to urge upon the hon. Minister to see that people are not subjected to such difficulties. We, of course, have to see whether the passports that are being issued to the people are not involved in criminal cases. The security aspect is important. We have to view it differently. But the ordinary people who are fulfilling all the requirements should get their passports without inordinate delay. But we have a different experience in the three passport offices that we have in our State.

Sir, finally I would like to urge upon the hon. Minister to take care of all these aspects and particularly review the functioning of these passport offices so that the harassment to the ordinary people could be stopped.

श्री रतिलाल कालीदास वर्मा (धन्वुका) : स्भापति महोदय, धन्यवाद। पासपोर्ट अमेंडमेंट बिल का समर्थन करते हुए मेरा निवेदन है कि माननीय मंत्री जी ने देश के अंदर गैर-कानूनी हथियार लाने वालों को रोकने के लिए एवं नारकोटिक्स जैसे धंधों में जो लोग लगे हैं, उनको रोकने के लिए जो कानून में सजा विद्यमान थी, उसको बढ़ाने के लिए और इन चीजों को रोकने के लिए जो अमेंडमेंट लाए हैं, इसके लिए मैं सबसे पहले उन्हें धन्यवाद देना चाहता हूँ।

माननीय स्भापति महोदय, आप जानते हैं कि आज आम जनता में पासपोर्ट एक स्टेटस बन गया है और पासपोर्ट रखने के लिए हर कोई उत्सुक रहता है, लेकिन मेरे पहले के वक्ता ने जो बताया, उसका भी मैं समर्थन करता हूँ और उनकी बात को बल देते हुए मैं कहना चाहता हूँ कि आज पासपोर्ट बनवाने में बहुत तकलीफ हो रही है। लोगों को आसानी से पासपोर्ट नहीं मिलता है। पुलिस इन्क्वायरी के लिए पांच सप्ताह रखे गए हैं, लेकिन पांच सप्ताह में इन्क्वायरी पूरी नहीं करते हैं। परिणाम स्वरूप जो पासपोर्ट लेने वाले हैं उनको बहुत परेशानी का सामना करना पड़ रहा है।

स्भापति महोदय, समाचारपत्रों एवं अन्य सूचना माध्यमों से हमें पता लगता है कि हमारे देश के लोगों को विदेशों में बहुत बुलाया जा रहा है। उनको विदेशों में बुलाकर उनका उत्साह बढ़ाया जा रहा है। यह बहुत खुशी की बात है कि आई.टी. में जो निष्णान्त हैं, उन्हें विदेश जाने का सौभाग्य प्राप्त हो रहा है और दुनिया के तमाम देशों ने उनके लिए अपने दरवाजे खोल दिए हैं, लेकिन यह तकलीफ का विषय है कि हम अपने नागरिकों को पासपोर्ट सम्य पर उपलब्ध नहीं करा पा रहे हैं। कई परीक्षाएं तो ऐसी हैं जिनमें भारत के बच्चे सिर्फ पासपोर्ट न होने की वजह से बैठ ही नहीं पाते हैं। मैं अपने यहां की एक घटना बताना चाहता हूँ। एक विद्यार्थी को परीक्षा देनी थी, लेकिन उसके पास पासपोर्ट नहीं था। पांच बार फोन करके मैंने बहुत मुश्किल से उसका पासपोर्ट बनवाया तब कहीं जाकर उसे परीक्षा में बैठने दिया गया। मेरा आग्रह है कि जो बाहर की यूनिवर्सिटीज में पढ़ने के लिए जा रहे हैं उन्हें तत्काल पासपोर्ट मिलने चाहिए। "तत्काल पासपोर्ट स्कीम" लागू तो की गई है, लेकिन उस पर जिस तरह से अमल होना चाहिए, वह नहीं हो रहा है।

स्भापति महोदय, मैं आपके माध्यम से मंत्री महोदय से निवेदन करना चाहता हूँ कि पासपोर्ट निश्चित समयावधि के अंदर लोगों को मिलना चाहिए। जब ऐसा नहीं होता है, तो वे लोग टाउट के पास जाते हैं, एजेंट के पास जाते हैं और वे ज्यादा पैसे लेकर उन्हें पासपोर्ट उपलब्ध करा देते हैं। मेरा निवेदन है कि टाउट्स के पास, एजेंट्स के पास न जाना पड़े इसलिए मंत्री महोदय, पासपोर्ट बनाने की प्रक्रिया का सरलीकरण करें, ऐसा होना बहुत जरूरी है। यह भी सही है कि पासपोर्ट कार्यालय में कर्मचारी हाथ से पासपोर्ट लिखने का कार्य करते हैं और पासपोर्ट कार्यालयों में कर्मचारियों की कमी है। एक दिन में एक कर्मचारी 25 से 30 पासपोर्ट हाथ से लिखता है। मेरा निवेदन है कि हाथ से लिखने की बजाय कंप्यूटीकृत पासपोर्ट बनाए जाने की सुविधा सभी पासपोर्ट कार्यालयों में उपलब्ध करानी चाहिए। इसके साथ-साथ मेरा एक सुझाव और है कि पासपोर्ट कब मिलेगा, पासपोर्ट तैयार है कि नहीं आदि की सूचना के लिए "टेलीइन्क्वायरी" सुविधा उपलब्ध करानी चाहिए। अभी क्या होता है, लोग घंटों लाइनों में खड़े होते हैं और जब उनका नंबर आता है, तो उन्हें बताया जाता है कि उनका पासपोर्ट तैयार नहीं है। इस प्रकार से उन्हें बहुत तकलीफ होती है और दुबारा उन्हें फिर नंबर लगाना पड़ता है और लाइनों में खड़े रहना पड़ता है।

स्भापति महोदय, पासपोर्ट की अवधि 10 वर्ष के स्थान पर 20 वर्ष की जानी चाहिए। ऐसा करने से कचहरी पर जो काम का बोझ है वह भी कम होगा और लोगों को राहत मिलेगी। पासपोर्ट बनाने के सम्य पुलिस इन्क्वायरी में बहुत सम्य लगता है। जब लोग पासपोर्ट अधिकारी के पास जाते हैं, तो वे कहते हैं कि आपको जल्दी पासपोर्ट चाहिए, तो आप पुलिस से खुद जाकर इन्क्वायरी की रिपोर्ट ले लाइए। जब आदमी खुद पुलिस वालों के पास जाता है, तो पुलिस वाले ऐसे ही जांच रिपोर्ट नहीं देते हैं, उन्हें भी ऐसे खिलाने पड़ते हैं। बहुत से लोगों को तो पुलिस के अधिकारी से मिलने ही नहीं दिया जाता है। बाहर से ही भगा दिया जाता है। इस प्रकार की घटनाएं आमतौर पर होती हैं। मेरा आग्रह है कि इन सबको रोकने हेतु तुरन्त कदम उठाएं। इसके साथ मेरा एक सुझाव यह भी है कि किसी के नाते-रिश्तेदार विदेश में

रहते हैं और उनके साथ कोई घटना अचानक घट जाती है, तो जो लोग अपने रिश्तेदार के पास तत्काल जाना चाहते हैं, तो उन्हें पासपोर्ट की सुविधा तुरन्त उपलब्ध करानी चाहिए।

मैं गुजरात से आता हूँ और गुजरात में अहमदाबाद के अंदर कचहरी है। वहाँ गत साल 1.1.99 से 31.10.99 तक 1, 32, 919 पासपोर्ट इश्यू किये गये थे लेकिन अभी भी 30067 पासपोर्ट की वेटिंग लिस्ट थी। तमिलनाडु के तिरुचिरापल्ली में पिछले दस साल में सबसे ज्यादा यानी 75,323 पासपोर्ट की वेटिंग लिस्ट थी। आंध्र प्रदेश के हैदराबाद में 57,054 पासपोर्ट वेटिंग लिस्ट में थे। मेरे कहने का मतलब यह है कि हर जगह पासपोर्ट की पेंडिंग लिस्ट है। इसी तरह दिल्ली में भी 56,648 पासपोर्ट की पेंडिंग लिस्ट है। पासपोर्ट के आफिस में $\hat{\alpha}$ (व्यवधान)

MR. CHAIRMAN : You should confine to the provisions of the Bill. This is not a debate.

श्री रतिलाल कालीदास वर्मा : मैं इन्फोर्मेशन दे रहा हूँ, डिमांड नहीं कर रहा हूँ। इन्फोर्मेशन देने के बाद माननीय मंत्री जी इसमें आवश्यक परिवर्तन करेंगे। लोगों की उत्सुकता का लाभ उठाकर कुछ आपराधिक प्रवृत्ति के लोग भी पासपोर्ट देते हैं। आपको जानकर ताज्जुब होगा कि गत आठ-दस महीने पहले ऐसे फर्जी पासपोर्ट या वीजा देने वालों को हमारी खुफिया पुलिस ने पकड़ा है। उनसे विदेश के पासपोर्ट और वीजा मिले थे। ज्यादातर लोग विदेश में रोजगार या पढ़ाई के लिए जाने को उत्सुक होते हैं। इसी वजह से काफी निर्दोष लोग भी इन लोगों के हाथों में आ जाते हैं। इससे उनका बहुत नुकसान होता है।

इसके साथ-साथ मेरा यह भी कहना है कि जो लोग तत्काल पासपोर्ट मांगना चाहते हैं, उनसे आप ज्यादा फीस लेकर तत्काल पासपोर्ट देने की व्यवस्था करें। इसके साथ-साथ पासपोर्ट का फार्म भी सरल होना चाहिए। जब फार्म सरल होगा तो किसी टाउट्स या एजेंट के पास जाने की आवश्यकता नहीं पड़ेगी। इसके साथ-साथ अभी आपराधिक पूठभूमि की भी बात कही गयी है। आपराधिक पूठभूमि वाले व्यक्ति को पासपोर्ट नहीं मिलना चाहिए लेकिन दुख के साथ कहना पड़ता है कि इन लोगों के पास एक नहीं बल्कि एक से अधिक पासपोर्ट पाये जाते हैं जबकि जो सही लोग हैं, उनको एक पासपोर्ट भी आसानी से नहीं मिलता।

अंत में मेरा कहना है कि ऐसे लोगों की गतिविधियों को रोकने के लिए कड़ी कार्यवाही करनी चाहिए। जो सजा आपने बताई, उससे भी कड़ी सजा होनी चाहिए, ऐसा मैं मानता हूँ। पासपोर्टधारकों का फोटोग्राफ्स सिर्फ एक ही कचहरी में नहीं होना चाहिए बल्कि हिन्दुस्तान की हर कचहरी में होना चाहिए ताकि वह दूसरा बनावटी पासपोर्ट न बनवा सके क्योंकि वे भिन्न-भिन्न राज्यों में पासपोर्ट बना लेते हैं। कुछ पत्रिकाओं के द्वारा जो जानकारी मिली है, उसके संबंध में भी मैं कहना चाहूँगा कि कार्यवाही को और ज्यादा कड़ी करने की आवश्यकता है। इसी तरह कुछ शहरों में जो टाउट्स या एजेंट बैठे हुए हैं, उनको रोकने के लिए कुछ जिम्मेदार इंसानों की नियुक्ति करनी चाहिए जैसे आर.टी.ओ. के लिए निश्चित व्यक्ति एजेंट के रूप में काम करते हैं। इसलिए मेरा कहना है कि इसके लिए कुछ रजिस्टर्ड लोग हों जिसे वे फालतू लोगों के पास न जा सकें।

अंत में माननीय मंत्री जी जो बिल लेकर आये हैं, मैं उसका समर्थन करता हूँ।

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SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, generally speaking, I support the principle involved in the Bill. All along, the punishment provided has been very simple. Imprisonment of only three months has now been increased. At the same time, we cannot check it merely by announcing a higher punishment. The extra-territorial activities cannot be prevented merely by announcement of punishment. We will have to look at other methods also. Of course, we can put a person in jail for a longer period but that will not solve the problem. Police must be very vigilant and very alert in dealing with these offences.

While supporting the Bill, I may draw the attention of the hon. Minister to another aspect of the Passport Act. While associating myself with the views expressed by Shri Ramesh Chennithala, I want to emphasise on one very particular point regarding the appeal provision. Even for a very simple correction in the passport, the appellants will have to come to Delhi to prefer an appeal here. This is too much to expect. The application of a worker who is applying for a renewal of his passport will be summarily rejected if there is any discrepancy or defect in the application and the aggrieved party will have to come to Delhi to prefer his appeal here. The appeal provision should be decentralised. There should be a provision for the authorities in Chennai or Thiruvananthapuram or some other Southern capital to deal with the appeals. Otherwise, all people seeking jobs abroad, mainly in the Gulf countries would find it very difficult to renew their passports. Even for a correction in the initials or a correction in the name, they will have to come here to present an appeal. If the appeal is presented through post, the appellant will have to come here for a personal hearing. This is very harsh on the poor worker who is seeking employment abroad. We cannot provide them employment in India. At least, they are getting employed abroad. So, when they proceed abroad, they are handicapped by these difficulties.

There is also the question of visa. The visa is issued for a short period, say, 30 days or 45 days, after which it would expire. But if the passport is not obtained before that period, the poor worker will have to forfeit his visa. He cannot proceed to Gulf countries. That is the tragedy of the situation. So, the hon. Minister may take a humanitarian approach to all these problems. If at all there is any defect or irregularity in the application, the poor applicant should not be brought to Delhi. This is a long-standing demand and I once again raise this issue on the floor of this House. I think that the passport seekers of the southern States would be very much relieved if they are allowed to prefer their appeals in the nearest station. I hope, the hon. Minister would consider these suggestions and make appropriate provisions in the law.

With these words, I support the amending Bill that has been moved before the House.

DR. B.B. RAMAIAH (ELURU): Hon. Chairman, Sir, the hon. Minister has brought before this House a good Bill.

The Passport Act was first passed in 1920. It was in 1967 that a new legislation was enacted. In 1993, some amendments were also brought in.

The present laws for violation of the provisions of the Indian Passport Act are not deterrent enough to stop these violations and illegal transactions.

Another important aspect is the provision with regard to Pakistan, Bangladesh and Myanmar. Pakistan and Bangladesh were not separate countries earlier. Later on, they became separate countries. There have been changes that have happened in these countries. The conditions have changed. There are also the problems that are faced by our country in the border States that have to be taken into account. We are facing severe problems of illegal immigration, smuggling and other anti-Indian activities.

The terrorist activities from across the Indian border are going on. Smuggling of weapons, drugs and such other activities are also increasing. The hon. Minister has said that the punishment that is being given is very simple and that they are not able to effectively curtail such activities. The present enactment stipulates five years imprisonment and a penalty of Rs.50,000. It is really a good one. But unfortunately it requires the Home Minister to be more effective. Border security is very important. It is because substantial amount of such things may not be coming through proper channel and those people may not be having passports at all. That is why, the borders must be protected properly. That is more important and along with this Bill, he has to consider this.

I am quite sure that the hon. Minister will be able to make some effort in this direction because of the tremendous amount of expenses being spent on naxalism and such other things. They are happening mainly because of these activities. They are illegal activities happening from outside.

The next thing is that there are forged passports and duplicate passports. Different types of things are there. There should be some mechanism to curb this and this should be investigated. In the present day of electronic systems and computer systems that are operating, they should be able to identify them and to verify them. They should also be able to take very strong and deterrent action against all these things. Somehow, these things are causing big problems. The present system, as our hon. Members made it, can be made effective. They can increase the charges for passport issue also because the systems are being modernised or computerised. With that, they can use better methods also and they can make and develop better type of passports. In any case, this passport system is going to cause substantial amount of money.

In fact, a number of persons with forged passports leave this country and go abroad, and also, they come back. This shows that the Passport Section in the airports or the shipping areas has to be more vigilant about incoming persons as well as outgoing. Both are important from the viewpoint of the prestige of this country and also the problem that we may face.

In any case, this Bill is a very important Bill. I am sure, with the passing of this Bill, the hon. Minister may also take proper action in order to prevent those things.

SHRI V.P. SINGH BADNORE (BHILWARA): Sir, I rise to support the Passport (Entry into India) Amendment Bill, 2000.

This amendment of the Bill has a very limited purpose. The sole objective of this Bill is to enhance the punishment and to put it on par with the Passport Bill of 1967, that is taking care of 'exit' (policy). Now, I really fail to understand one thing. When this Bill was amended in 1967, why was it bifurcated (exit and entry)? It must have been bifurcated for some reason or the other. Passport issuance is actually done by one Ministry, that is, the Ministry of External Affairs; and the punishment and the verification, etc. are done by the Ministry of Home. It is a sort of a mix, in the sense that both the Home Department and the Ministry of External Affairs have a lot to do with the passports. That is why, I suppose that this Bill is not being piloted by the Minister of External Affairs, but by the Minister of Home.

I support this Bill. Actually, the purview of this Bill is not to discuss the whole passport affair of what goes wrong and how the whole system can be changed. But I would like to mention one or two things which are of prime importance concerning passport.

I think we are going very slow as far as computerisation is concerned. For renewal of passport, if I have to move from Chennai to Delhi or from Mumbai to Chennai. Have I to go all the way to Chennai to get the passport renewed? If it is computerised, it can be done in any of these metropolitan cities. That is a flaw which has to be looked into. It has got to do more with the system than with the amendments. The other thing which is of importance, especially when the Bill is moved by the Home Minister, is regarding photographs. In our country, the passports have photographs which are stuck on with a plastic film on it which can be removed. This is how

passports are forged and faked. In other countries it is not so. There they are imprinted. If you imprint the photographs as it is done in other countries, this problem will not be there. This must be looked into by the Home Ministry. Here, you have enhanced the punishment very rightly. You have put it on par with the 1967 Exit Laws. But it is very important. It is because this is how the forged and fake passports are coming. This must be looked into and stopped.. As far as entry into India is concerned, there was a move to have some sort of an Orange Card on the lines of Green Card for the NRIs. In the days of globalisation, people are travelling to the US and the UK from India for business as they used to travel from Mumbai to Delhi once. NRIs are coming to India quite often. There should be a proper system for the entry. We should have some sort of an arrangement. There was a proposal to have an Orange Card. I do not know what happened to that. If that is sorted out, it would lessen the harassment for getting the visas. In the end, I support the Bill.

SHRI A.C. JOS (TRICHUR): Sir, we have no other go but to support this Bill because it is for a limited purpose. As the hon. Member who spoke before me has mentioned, as far as passport is concerned, entry and exit is done by different Ministries. The Home Ministry is in charge of the entry and the External Affairs Ministry is in charge of the exit. We have no scope to speak on the subject. It is because passport is a matter concerns the External Affairs Ministry. All the hon. Members who participated in the discussion spoke about issuance of passports, its format, delays etc. I do not know whether the Minister who piloted it is capable of answering it or is liable to answer it. But we have to air our grievances, especially the Members from Kerala, Tamil Nadu and Gujarat because large number of people are migrating to other countries from these States and passport has become a real issue for them. Every citizen of India, unless and otherwise proved, is entitled to get a passport. The problem is passport is issued only after a certain period. In Kerala it is 33 days and in some other States it is 40 days. It depends on the rush in each station. Mr. Chairman, as a lawyer, you are aware that an affidavit should be shown before the Magistrate or any other authority that he is not involved in any criminal case.

That is the only thing. There is an inquiry and it results in delay. Since an affidavit is obtained from the person, passport can be issued within a week or two. The employment-seekers from outside get visas within a span of one or two weeks. Students going abroad for studies have to go immediately. Many people have lost their jobs, because of the delay in getting passport. I request the hon. Minister to convey our feelings about the difficulty faced in obtaining the passport. I do not want to go into the aspect of computerisation, etc.

Coming to the entry part, the punishment awarded is very good. If any person is illegally entering into India, we should give punishment. Stringent punishment should be there. Our borders are very wide and we face a number of problems but while enforcing the law we have to safeguard the tourist aspect also. The State of Kerala attracts a lot of tourists but obtaining visas is a problem abroad. In certain cases the Home Ministry has given them permission to come to India. My submission before the Minister, through you, Sir, is, in many countries tourist visas are given at the airports. Why can we also not do the same thing? Genuine tourists should be given visas at the airport itself. People from Europe, especially Latin America, cannot come to India because of the difficulty in obtaining visas. All this is due to lack of communication between the Home Ministry and the people concerned in different countries.

Recently, a person had to come to Kerala to attend some conference. The sanction has to be given to him by the foreign desk of the Home Ministry. He got it in the last minute and that too after getting many recommendations. There was no necessity of it. He was coming here for just three or four days. My suggestion is, if a person is coming to India for a week or two, arrangements should be made or permission should be given to him at the airport itself or before alighting into the flight. That is what is happening in Gulf countries.

I would like to confine myself to my own State. Our State is famous for Ayurvedic treatment, which may go on for three months and in some cases even more than that. In such cases the Home Ministry is creating a lot of hurdles. The Ministry is not issuing the tourists' passport or visa for the persons who come here for treatment. Especially from Europe or Gulf countries, a lot of people are coming for getting Ayurvedic treatment. We earn good foreign exchange because of that. Many reputed Ayurvedic clinics are coming up. They are functioning very well in Kerala. They attract a lot of foreign patients but they are also not given visa in time.

Ours is a country which has a long history of migration to different foreign countries. The Indians settled there have acquired nationalities of those countries. In Africa, North America, Europe or Gulf, the former citizens of India have acquired citizenry of those countries. If such people come to India, we have to have some laxity. Every three months or six months they have to report to the police station.

It is a sort of harassment. This harassment will have to be avoided. The Home Minister has to do it. That is an entry position. We cannot say that Pakistan is an alien country or an enemy country. Many people who got trapped in Pakistan at the time of partition, have acquired Pakistani citizenship. Many of them are from Malapuram, Calicut, Hyderabad and other places. They do not want to live there. But they happen to be the citizens of that country. When they come here and even if they genuinely want to stay back, they have to report to the Police Station. That is a harassment.

1741. Similarly, many Indians are living in North America. They have acquired citizenship of that country. Recently, when the Prime Minister went there, those people demanded dual citizenship. The people who have acquired citizenship of other countries and when they come to India, they have to go to the Police Station irrespective of whether that person is a man or woman. So, we have to consider the demand of dual citizenship very seriously because many people have migrated to other countries from India. When the people who have acquired citizenship of other countries by compulsion come here, some laxity should be given to them. Sir, I generally agree with this amendment Bill and support it.

1742.

श्री प्रमुनाथ सिंह (महाराजगंज, बिहार) : स्भापति जी, मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ। मुझे लगता है कि मंत्री जी की नियत इस बिल को और मजबूत बनाने की है और यह बहुत आवश्यक भी है। जो लोग बाहर से आते हैं उन पर आज कड़ी निगरानी रखने की आवश्यकता है क्योंकि जो हमारा पड़ोसी देश है वह आई.एस.आई के माध्यम से हमारे देश में आतंक फैलाने में महत्वपूर्ण भूमिका निभा रहा है। अपराधी किस्म के लोग, तस्करी करने वाले लोग भी इस देश में आते हैं और पासपोर्ट की समय-सीमा खत्म होने के बाद भी इस देश में रह जाते हैं जिसे इस देश में आतंकवाद और गलत धंधे का माहौल बना रहता है। इसलिए बाहर से आने वालों पर कड़ी निगरानी रखने की बहुत आवश्यकता है।

रोजगार की तलाश में जो गरीब, विद्वान और पढ़े लिखे लोग बाहर जाते हैं, उनमें पढ़े लिखे लोग, जिनकी कहीं पहुंच होती है वे तो अपनी पहुंच के कारण अपना पासपोर्ट बनवा लेते हैं लेकिन जो गरीब और अनपढ़ लोग होते हैं वे पासपोर्ट बनवाने के लिए दलालों के चक्कर में पड़ जाते हैं। गांव के गरीब लोगों को पहले से ही आर्थिक तंगी का सामना करना पड़ता है और वे अपना पैसा दलालों के चक्कर में लुटाकर मुम्बई और दिल्ली जैसे शहर से वापस गांव लौट जाते हैं। कई लोग मुझे मिले, जिन्होंने मुझे बताया कि 50 हजार रुपया या एक लाख रुपया दलाल ने ले लिया लेकिन वह मुझे बाहर नहीं भेज रहा है। इसलिए इसमें दंड प्रक्रिया को बढ़ाने की भी जरूरत है। एक बात और है कि पासपोर्ट कार्यालय में बहुत समय तक आवेदन लम्बित रहता है। इसलिए इसके लिए एक समय-सीमा निर्धारित की जानी चाहिए। समय-सीमा निश्चित न होने के कारण कार्यालय के लोग गरीब लोगों से गलत फायदा भी उठाते हैं। कहते हैं कि हम जांच कर रहे हैं और जांच का हौवा खड़ा किया जाता है,

और गलत लोगों को गलत ढंग से पैसा खर्च करने के लिए मजबूर होना पड़ता है। वे गरीब लोग बाहर नहीं जा पाते हैं। इस पर कड़ी निगरानी रखने की जरूरत है। पासपोर्ट के लिए समय-सीमा निर्धारित करना आवश्यक है।

इन्हीं शब्दों के साथ मैं यही कहना चाहता हूँ कि इस पर निगरानी नहीं रखी गई तो देश को आई.एस.आई. के जाल से भविष्य में बहुत नुकसान उठाना पड़ेगा। इसलिए इस पर अवश्य निगरानी रखनी चाहिए। इन्हीं शब्दों के साथ बहुत-बहुत धन्यवाद।

डा. रघुवंश प्रसाद सिंह (वैशाली) : स्भापति महोदय, पासपोर्ट संशोधन विधेयक में माननीय मंत्री जी ने दावा किया है कि इस कानून में इससे पहले 1968 में फिर 1993 में संशोधन किया गया। अब सन् दो हजार में इसमें संशोधन कर रहे हैं। इसके द्वारा सजा बढ़ाई जा रही है। इन्होंने दावा किया कि कम सजा वाला कानून उस समय था जब भारत, पाकिस्तान, बंगलादेश और बर्मा एक साथ थे। अब ये देश अलग-अलग हो गए हैं या बंट गए हैं इसलिए ज्यादा कठिनाई हो रही है। सजा बढ़ाने के लिए यह बिल लाया गया है। 1968 और 1993 में इसमें जो संशोधन हुआ उस समय भी ये देश अलग-अलग थे। मंत्री जी ने दावा किया है कि सजा बढ़ाने से आतंकवाद का मुकाबला किया जा सकेगा। जो देश में रहकर आतंकवाद फैलाते हैं क्या उनके पास पासपोर्ट है? क्या आपने इस पर रोक लगाई? पासपोर्ट में सजा बढ़ाने या घटाने से कुछ नहीं होने वाला। इस पर आपको विचार करना चाहिए। आप पासपोर्ट प्रथा खत्म क्यों नहीं कर रहे हैं? आप इसे यहां खत्म करिए और दूसरे देश से भी खत्म करवाइए। डबल्यू.टी.ओ. का समझौता हो गया। इसके द्वारा सारा सामान विदेश से यहां आएगा। आप गरीब लोगों को दलाल लोगों के चक्कर में क्यों डालना चाहते हैं? आप सब कुछ फ्री करिए और पासपोर्ट प्रथा खत्म करिए जिसे अपने आदमी दुनिया भर में फैल जाएं। ऐसे में कोई गरीब आदमी इस धरती पर नहीं रहेगा। गरीबी खत्म हो जाएगी। यह कहते हैं कि विदेशी सामान यहां आ सकता है। फिर आपने अपने आदमी को क्यों रोक कर रखा है? आप लोगों को इस झंझट में क्यों डालते हैं कि पासपोर्ट बनाइए, फोटो खींचवाइए, जांच करवाइए, वीजा लीजिए।

â€¦(व्यवधान)

श्री प्रकाश परांजपे (ठाणे) : सामान इम्पोर्ट करने के लिए लाइसेंस लेना पड़ता है।â€¦(व्यवधान)

MR. CHAIRMAN : You cannot sit and talk like that. The hon. Member may please address the Chair.

डा. रघुवंश प्रसाद सिंह : सामान के पैर नहीं होते। वह चल नहीं सकता। मैं यह बात मानने के लिए तैयार नहीं हूँ कि सजा बढ़ाने से आतंकवाद घट जाएगा। इससे आतंकवाद नहीं जाएगा।â€¦(व्यवधान)

MR. CHAIRMAN: This is not the way. You must study the rule and come. You cannot sit and talk like that.

डा. रघुवंश प्रसाद सिंह : आप हमारी पार्टी की बात सुनिए। आप उधर से हमें क्यों डिस्टर्ब करते हैं? यदि आपको अच्छा नहीं लगता है â€¦(व्यवधान)

श्री प्रमुनाथ सिंह : आपको सलाह दी जाती है।â€¦(व्यवधान)

MR. CHAIRMAN: This is not a public place. You must address the Chair.

डा. रघुवंश प्रसाद सिंह : क्या मैं आपका सुझाव मानूं? हम यहां बहुत से सुझाव देते हैं। हो सकता है कई सदस्यों को मेरे सुझाव पसंद न आए।

आज देश में आतंकवाद बढ़ रहा है, गोला बारूद आ रहा है और ड्रग्स भी आ रही हैं।

धोखा मत दीजिये। जो पासपोर्ट लेने जायेगा, वह धन्धा करता है, क्या वह पासपोर्ट खोजेगा? आतंकवादी, उलफा पाकिस्तान, बांगलादेश तथा बर्मा में ट्रेनिंग पाते हैं

और वे फ्री हैं। वे खुले रूप से आते जाते हैं। यदि पासपोर्ट कानून का पालन नहीं करेंगे तो पांच साल की सजा होगी, ऐसा नहीं हो सकेगा। अभी जंगल में वीरप्पन को मिलने चले जाते हैं, बात कर लेते हैं और सरकार सरेंडर कर देती है। क्या यह घोखाधड़ी चलती रहेगी? सरकार जो कानून लेकर आई है और दावा कर रही है तो यह लिमिटेड पासपोर्ट कानून है। मेरा तो यह कहना है कि इस पासपोर्ट प्रथा को समाप्त कर दीजिये। अंतरराष्ट्रीय स्तर पर नागरिक विश्व का हो जाना चाहिये ताकि एक दूसरे देश में फ्रीली घूम सकें। इससे गैर-बराबरी मिटेगी, गरीबी मिटेगी, बेरोजगारी मिटेगी। यदि यहां काम नहीं मिल रहा है तो कहीं तो काम मिलेगा। यहां काम करने वाले हैं तो काम नहीं और जहां काम है, वहां काम करने वाला नहीं है। इसलिये यह पासपोर्ट प्रथा समाप्त होनी चाहिये। पढ़े लिखे और गैर पढ़े लिखे लोग दुनिया में घूमें, ऐसा कानून बनना चाहिये।

स्थापित महोदय, पाकिस्तान, बांग्लादेश, बर्मा पहले एक ही देश थे। पासपोर्ट बनाकर करप्शन पैदा कर दिया। इससे आतंकवाद खत्म होने वाला नहीं है। यदि माननीय सदस्य सुझाव देंगे, उसकी जांच होगी, तब तक देर हो जायेगी। इसलिये इस प्रथा को समाप्त कर देना चाहिये। इन सब बातों पर सरकार विचार करे, दुरुस्त काम करे ताकि लोगों को कठिनाई न हो।

श्री मोहन रावले (मुम्बई दक्षिण मध्य) : स्थापित महोदय, मैं पासपोर्ट (भारत में प्रवेश) संशोधन विधेयक, 2000 का समर्थन करता हूँ। मैं मंत्री जी से यह जानना चाहता हूँ कि अभी तक पाकिस्तान से कितने लोग भारत आये और कितने वापस नहीं गये हैं। लाहौर बस यात्रा के बाद काफी पाकिस्तानी नागरिक भारत आते रहे हैं लेकिन जाते कम रहे हैं। उनकी संख्या क्या है? इन लोगों की निगरानी कौन करेगा? बांगला देश से अब तक एक करोड़ से ज्यादा लोग आ चुके हैं और उनके यहां राशन कार्ड तक बन गये हैं। हमारे पूर्व गृह मंत्री श्री इन्द्रजीत गुप्ता ने कहा था कि एक करोड़ बांगलादेशी आये हुये हैं लेकिन वापस कितने गये। उन सब के फर्जी राशन कार्ड बने हुये हैं जिसके कारण वे 3 करोड़ हो गये हैं। यही लोग बाद में भारतीय पासपोर्ट लेकर बाहर जाते हैं। मि. जोस अभी कह रहे थे कि सरकार उनके बारे में क्या कर रही है। मुम्बई में मेरे पड़ोस में पासपोर्ट आफिस है जहां लोगों को काफी तकलीफ होती है क्योंकि पासपोर्ट 2-3 महीने में मिलता है। यदि किसी को डेलीगेशन में जाना है या किसी को नौकरी मिली है और उसे जाना है तो पासपोर्ट 2-3 महीने में मिलता है। इससे नौकरी से वंचित रह जाता है। मेरी विनती है कि यह पासपोर्ट 15 दिन के अंदर मिल जाना चाहिये। गुजरात में यह संख्या 57 हजार है, मुम्बई में 8800 है। मेरी प्रार्थना है कि इस संख्या में कमी होनी चाहिये। पुलिस वैरिफिकेशन में 2-3 महीने लग जाते हैं। लोगों को एजेंट का सहारा क्यों लेना पड़ता है?

1755 hrs. (Mr. Speaker in the Chair)

इसके साथ ही आप एन्ट्री और एक्जिट के बारे में बतायें। मैं आपसे एक सवाल पूछना चाहता हूँ कि कितने राजनीतिक नेता हैं जो बाहर के पासपोर्ट से एन्ट्री करके हिंदुस्तान में आये हैं। मंत्री जी जरा सुन लें। मंत्री जी कितने राजनीतिक नेता हैं जो बाहर से पासपोर्ट लेकर आये हुए हैं और जिनके पास ड्युएल पासपोर्ट है। जैसे कि माननीय सदस्य श्री जोश जी ने ड्युएल पासपोर्ट की बात की। इसमें श्रीमती सोनिया गांधी हैं या नहीं, इसका क्लेरिफिकेशन हमें मिलेगा तो अच्छा होगा। (व्यवधान)

डा. रघुवंश प्रसाद सिंह : क्या आड़वाणी जी पासपोर्ट लेकर आये हुए हैं, (व्यवधान)

श्री मोहन रावले : मैं उनसे पूछ रहा हूँ, वह जवाब दे देंगे। हमें भी पता लग जायेगा। उन्होंने एन्ट्री और एक्जिट की बात की, उन्होंने एन्ट्री ली और दो जगह का पासपोर्ट है, ओरिजिन की बात की, ओरिजिन कहां से शुरू हो जाता है, उसकी भी हमें जानकारी होनी चाहिए। इसमें बहस करेंगे तो बहुत लम्बी बहस हो सकती है। हम सदन का ज्यादा समय नहीं लेना चाहते हैं, चूंकि छ. बजे तक का समय दिया हुआ है। लेकिन हमें यह कहना है कि पासपोर्ट जल्दी से जल्दी मिलना चाहिए। इसके लिए मैं विनती करना चाहता हूँ और जो लोग आये हुए हैं, जहां से आतंकवाद बढ़ गया है म्यांमार बॉर्डर से लोग आते हैं, असम, नगालैंड, मणिपुर, मेघालय, पाकिस्तान बॉर्डर और ईस्टर्न कंट्रीज के बॉर्डर जहां भी हैं, वहां ज्यादा निगरानी होनी चाहिए। बगैर पासपोर्ट से हिंदुस्तान में आते हैं। लेकिन हिंदुस्तान से बाहर जाते वक्त हिंदुस्तानी पासपोर्ट के द्वारा जाते हैं, जरा इसका ख्याल रखिये। इन्हीं शब्दों के साथ मैं अपनी बात खत्म करता हूँ।

MR. SPEAKER: Now, Shri Sudarsana Natchiappan to speak. He is the last speaker.

...(Interruptions)

MR. SPEAKER: Shri Banatwalla, you can seek a very good clarification.

...(Interruptions)

SHRI E.M. SUDARSANA NATCHIAPPAN (SIVAGANGA): Sir, I would like to draw the attention of the hon. Minister to one aspect. I thought that the hon. Finance Minister would also be here. However, as the Information Technology Minister is here, I would like to draw his attention to the fact that the passport is very much a sanctified document nowadays. When the Act was there in 1920, only hundreds of people were having the passport but millions of people are having the passport now. People who are investors here and people who are earning by going to foreign countries are also possessing the passport. Therefore, when the investors are coming to India, they should not be treated on par with the terrorists. I say this because the Act now gives more power to the Executive. Hence, there should be some differentiation in this regard. We can very easily find out how much an air passenger is harassed in the security check. All the investors, who are having millions of rupees in their possession, are coming to India and they are harassed by an ordinary policeman in the security check. The same thing will not happen in any foreign country. With all the respect, they are receiving a person who is entering the country. Therefore, I would say that this Act gives total power to the Executive. If all the sections are read, this fact would become clear. Sections 3, 4 and 5 of the principal Act are giving total rule-making powers. Section 3 (5), by a subsequent amendment, is giving the statutory rule-making power. It has been presented before the Parliament. But we are not going through the rules which are placed on the Table of the House. Therefore, Mr. Minister, there should be a clear enactment which you should make. You should give it to the investors, especially who are coming from foreign countries when they are entering India. You should clearly say that if they are not having a passport, that is punishable under the law. If that is enacted into a proper law, that would help instead of having executive orders.

Then, more investors will be coming to this country with a passport. They will be very happy to invest in this country. I say this because a passport is getting more and more powerful in the present situation of economic reforms.

Finally, I would like to submit that the present law gives ten years' punishment. Actually, the Assistant Sessions Court has to punish a person for five years for an offence. Now, it goes to the District and Sessions Judge. Can we give power to an executive authority to that extent without any specific Act to make the rule? Only three things are there in the Act. One is, possessing the passport; another one is non-possession of the passport and the third one is with or without authority to possess a passport. Other than these three, other things are with Executive. Therefore, that aspect has to be gone into thoroughly. The Executive should be very judicious in making the rules. It should also come out with a fresh enactment especially when the reforms are being made.

18.00 hrs.

We should not be worried too much about the problem of terrorism alone. We should have a thinking of broadened India; we should also have global economy in India.

SHRI G.M. BANATWALLA (PONNANI): Mr. Speaker, Sir, the Bill enhances the punishment for unauthorised entry in our country. I rise to emphasise that under the pretext that a person has made an unauthorised entry into India, the genuine citizen must not be harassed. This is a complaint which is rampant, and therefore, deserves every attention. All sorts of highly inflated figures are in circulation. For example, the magnitude of the number of those people who have unauthorisedly entered into our country is made out as if there is an invasion of our country. If that is so said, then the situation becomes worse.

MR. SPEAKER: Just a minute. If the House agrees, we can extend the sitting of the House till the completion of the Bill. There are two or three speakers more.

SEVERAL HON. MEMBERS: Yes, Sir, by 15 minutes.

MR. SPEAKER: All right.

SHRI G.M. BANATWALLA : The propaganda goes on that those persons, especially from the neighbouring countries, who have unauthorisedly entered India, easily mingle with the people because of the similarity of language, religion, culture, dress and so many other things. A scare is created and the entire problem is blown out of its proportions. A scare is created and certain minorities are made a suspect in the eyes of the nation. This requires a proper attention, as I have said earlier. The infiltration into our country, especially from the neighbouring countries, is on the decline.

I would like to quote the reply of the hon. Home Minister, Shri L.K. Advani to the Starred Question No.708:

"There is no information to indicate that infiltration into India by illegal immigrants is increasing."

The whole answer is there. But because of paucity of time, I have mentioned that unnecessary scare should not be created. Of course, effective steps should be taken. There can be no two opinions about that. But in the name of the effective steps, the innocent citizens be not harassed and scare be not created.

In another reply to the Unstarred Question No.1161, dated 6th November, 1999, the hon. Home Minister gave the year-wise figures of infiltration intercepted by the BSF. When we go through those figures, we find a phenomenal decline. From 1997 to 1999, there is a one-third decline. Of course, do not be complacent. Take effective steps but see to it that unnecessary scare is not created in the country, and see to it that the genuine citizens are not harassed. This is especially because the Government has sent instructions to the States and Union Territories asking them, and I quote:

"To sensitise the local population about the magnitude and seriousness of the problem."

These things create a lot of problems and it is unfortunate that such unbaked ideas and light statements lead to the aggravation of the problem.

I would also like to emphasize that there should be no discrimination in the treatment meted out to persons who have entered unauthorisedly from the neighbouring countries and those who are from other countries. There should not be any such discrimination. At the same time, I would also like to remind the Government of the fact that the bulk of those who come here do so in search of their livelihood. This matter needs to be considered sympathetically. It has to be considered in a humanitarian manner. Our hon. Home Minister, Shri L.K. Advani has made a statement to this effect, distinguishing between infiltrators and unauthorised immigrants. So, I would like to emphasize the fact

that when people are here not with a design for any perverse activity, but in search of livelihood, then humanitarian consideration must prevail. At present, there is a scare that we, almost, have an invasion from the external agents, illegal migrants and so on and so forth. It is necessary for the sake of peace in our country that such a scare should not be created and such mischief should be nipped in the bud. This is not to say that effective steps need not be taken, but what I am emphasizing is that due care should be exercised in the implementation of laws.

Sir, I may also briefly refer to the various difficulties that people face in getting their passports. There are inordinate delays in getting passports due to various reasons like shortage of staff in our passport offices, shortage of application forms, shortage of printed booklets and so on. This matter needs urgent attention. There are a number of occasions when persons receive intimation of their visas and such persons should be in a position to get their passports without any delay. In such cases, special consideration should be given in order to see that they do not lose the opportunity presented to them because of the intimation that they have received their visas.

The question of issue of passport may relate to the Ministry of External Affairs, but I hope that the hon. Minister here would convey our sentiments and observations to the Minister of External Affairs. The main reason for the delay in getting the passport is due to the fact that the information on police verification does not come in time. This is a very serious thing. Many times, the police authorities do not even respond. In this respect, strict action has to be taken and a time-bound programme should be implemented. Now, we are in the era of information technology revolution. So, all the modern information technology can be used in order to see that the necessary information is obtained and conveyed to the authorities concerned in time. Then, there should be proper coordination between the Regional Passport Officers and the police authorities. They should, at least, meet once a month or once in two months and develop a proper coordination mechanism.

Sir, I would now refer to the difficulties of those persons who are coming from Pakistan wanting visa for going to Punjab, because their relatives may be there.

They may be wanting to visit their relatives. There may be emergencies in this case. But to my information, it is extremely difficult to get a visa for visiting the relatives even in Punjab. I do not know whether any instructions have been given that visas for Punjab should not be given. But, in any case, the difficulties are many and the Government must look into it.

I must also emphasise one more fact, that is, the question of extension of visas and then resume my seat. At times, the extension of visas is wanted for genuine purposes like medical treatment. In Kerala, for example, we have the world-famous 'Kottakkal'. The Ayurvedic treatment takes its own time. Under all these cases, a proper attitude should be taken and seen to it that the visa is given.

In the extension of these visas also, there is a lot of corruption. Now, the time does not permit me to go into that. But let us strengthen the machinery in order to see that such corruption is not there.

Finally, there are people who are of Indian origin. They went abroad in search of work. Somehow they became citizens over there. In their old age, they come back. They want to stay here. Their question has also to be considered sympathetically and with humanitarian considerations.

With these words, I support the Bill as far as the enhancement of the punishment is concerned. But I must emphasise that the machinery that implements it must be very impartial and considerate wherever sympathetic and humanitarian considerations are needed.

श्री रामदास आठवले (पंढरपुर) : अध्यक्ष महोदय, पासपोर्ट (भारत में प्रवेश) संशोधन विधेयक 2000 का समर्थन करने के लिए मैं अपनी पार्टी की तरफ से खड़ा हुआ हूँ। मेरा इतना ही कहना है कि जो आतंकवादी हमारे देश में आते हैं, उनको सपोर्ट करने वाले भी इसी देश में हैं। इसलिए आतंकवादी लोगों को रोकने के लिए, अपने देश की शांति को बरकरार रखने के लिए और उन लोगों को सजा देने के लिए होम मिनिस्टर साहब यह बिल लेकर आये हैं। वैसे तो यह मैटर फॉरन अफेयर्स मिनिस्ट्री से संबंधित है लेकिन उनको सजा देने का सवाल है इसलिए होम मिनिस्ट्री यह बिल लेकर आई है। मेरा यह भी कहना है कि हमारे देश में ऐसे दलाल या एजेंट भी हैं जो एक लाख या दो लाख रुपये लेकर ऐसे लोगों का पासपोर्ट बनाकर उन्हें अपने देश में लाने का काम करते हैं, अपने देश की शांति खराब करते हैं। मेरा कहना है कि ऐसे लोगों की जांच होनी चाहिए। जैसे मुम्बई में गैंगवार के लोग हैं, स्मगलर लोग भी हैं इसलिए मुम्बई के पासपोर्ट आफिस को स्ट्रैन्डन करने की आवश्यकता है। उसको कम्प्यूटराइज्ड करने की आवश्यकता है क्योंकि मुम्बई में ही ज्यादा से ज्यादा लोग आते हैं। इसलिए उनको रोकने के लिए आपके द्वारा प्रयत्न होना चाहिए।

अंत में मेरा कहना है कि हम इस बिल का समर्थन करते हैं मगर आपको एक चेतावनी भी देना चाहते हैं कि इसके बाद एक भी आतंकवादी अपने देश में नहीं आना चाहिए। अगर एक भी आतंकवादी इस देश में नजर आता है तो उसके लिए आप लोग जिम्मेदार होंगे और उसका आरोप हम आपके ऊपर लगायेंगे।

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SHRI SURESH KURUP (KOTTAYAM): Mr. Speaker, Sir, this Bill has only a limited purpose of enhancing the punishment for those people who enter into our country without proper travel documents. It is a fact that a lot of people enter into our country unauthorisedly especially from the neighbouring countries – Pakistan and Sri Lanka. These people indulge in smuggling, narcotics trade and also other anti-national activities.

These people can easily mix with our people. They cannot be identified easily. It is not because our laws are so simple that these things happen. There are enough stringent laws in our country to get hold of these people and punish these people. To detect this and to prevent this, we need the cooperation of the common people of our country. That is the most important point.

There should also be eternal vigilance. In this situation we should take a note of the fact that in Kargil intrusion we could not find them out in time and we had to wage a whole war to oust the intruders. The need of the hour is that the vigilance should be strengthened, our intelligent set up should be strengthened, so that we can detect these people and send these people out of this country.

Normally, what the police do all over the country is that they check up the hotels and lodges and look for the foreigners staying there. Those people who are staying in proper lodges and hotels have proper travel documents. The people who intrude into our country do not stay in any hotels or lodges. They have their own contacts in the country and they hide in there. What is needed is the people's cooperation in every front. That is the most important thing. For that the Government should take the people into confidence.

This Government attacks the people on every front. It has disrupted the PDS, and the farmers are in disarray in the regime of this Government. In every walk of life, common people are suffering. So, my point is that this Government can seek the cooperation of the people for detecting these anti-national elements and getting hold of them.

Anyway, I welcome this Bill. I reiterate that you can have enough stringent laws in the statute book but that does not mean that this can be prevented. The point is that you have to implement it effectively. You have to detect these people effectively and you have to get hold of these people effectively. That is the need of the hour.

श्री हरीभाऊ शंकर महाले (मालेगांव) : अध्यक्ष महोदय, दिन-प्रतिदिन पड़ोसी देशों के साथ संबंध बिगड़ रहे हैं, तस्करी और आतंकवाद भी बढ़ गया है। एक राज्य या गांव में नहीं बल्कि सब जगह शरण लेने की बात हो गई है। इसे रोकने के लिए मंत्री महोदय ने कानून बनाया है लेकिन मुझे लगता है कि यह कानून आतंकवाद और तस्करी को रोकने के लिए कम पड़ जाएगा। श्री रावले और अन्य माननीय सदस्यों ने कहा है कि कानून में जल्दी से जल्दी सुधार करना चाहिए, इसे रोकने के लिए कौन सा काम होगा। मेरे निर्वाचन क्षेत्र में मधुकर विठ्ठल भवले नाम का एक किसान है। उसके लड़के को न्यूयार्क जाना था इसलिए वह पासपोर्ट लेने के लिए तीन-चार बार पासपोर्ट ऑफिस गया। मैंने भी खत लिख कर दिया लेकिन उसका कोई उपयोग नहीं हुआ। उसके बाद जब वह दफ्तर के बाबू और एजेंट से मिला तो उसे बहुत जल्दी पासपोर्ट मिल गया। दाऊद जैसे लोगों के लिए पासपोर्ट कानून का उपयोग नहीं होता लेकिन अच्छे लोगों के लिए होता है। भारत देश बहुत बड़ा है। कई लोग बाहर से आते हैं, बहुत बड़ा काम करते हैं और उनको इधर-उधर जाना पड़ता है। उनको सही-सलामत पासपोर्ट मिलना जरूरी है, यही मेरी विनती है।

SHRI I.D. SWAMI : Mr. Speaker, Sir, I am grateful to all the 14 hon. Members who have participated in this debate. The debate was very useful, very suggestive, and very informative also. But by and large, this pertained to the procedures and delays in obtaining Indian passports or in the procedure of appeals for correction of names or minor mistakes to be corrected in the passport or the location of appellate authorities.

I have taken note of most of these suggestions, which have come from the hon. Members. I can assure all of them that all these would be brought to the notice of the Ministry of External Affairs because primarily the issue of passport, the streamlining of the procedure, the speedy issue of passport, the enquiries to be got done within a limited period, the limit to be fixed for the passport offices for issue passport within a particular stipulated time -- all these questions relate to the Ministry of External Affairs, and the Home Ministry has nothing to do with those. But I can assure you that all of your useful suggestions will reach the quarters concerned.

There have been some suggestions so far as the Ministry of Home Affairs is concerned. The Indians holding foreign passports who have been living for a long time, permanent immigrants to foreign countries, should not be harassed and they should not feel any difficulty about it. Already the persons of Indian origin holding foreign passport are entitled to have a card, 'The Person of Indian Origin Card', which is valid for 20 years and they do not require any separate visa at all. Even as at present, the procedure is such.

Certain hon. Members mentioned about the tourist traffic coming to Kerala or some other tourist places, and they should not feel harassed or they should not feel any difficulty in getting visas, and as in many other countries, visas can be obtained at the airport. Tourist visas for six months are freely available in all our Indian missions abroad even at present, and the visas are available for tourist groups of four or more than four on arrival and travelling on a pre-determined itinerary, there is no difficulty, for 60 days they can have the visas very easily, and there is no difficulty about that also. They can have that through travel organised by any recognised travel agency.

Another suggestion which was pointed out was that some people who have come from the neighbouring countries, of course foreign countries, are required to report to the police station, they get harassed by that, they get humiliated, and all that. I may inform this august House that registration by foreigners is required only if they hold a long-term visa of more than six months. If they have come for a lesser period than six months, this formality of

reporting to the police station, the question of harassment or humiliation does not arise. If the duration of each stay exceeds six months ...*(Interruptions)*

SHRI RAMESH CHENNITHALA (MAVELIKARA): Sir, it is still there. Those people who are coming from the foreign countries, for example from America, have to report to the police station. Then, you have to publicise this. You have to give instructions to the State Governments in this regard. ...*(Interruptions)*

SHRI I.D. SWAMI: We will certainly look into your suggestion. We will see that there is no unnecessary harassment on account of the reason that if the visa is less than six months, and they are coming to stay here for less than six months, they should not be required to go to the police station for registration, for reporting, etc. That is what I understand.

There was another point, which was raised by Shri Banatwalla. I may assure him that there is no question of anybody getting harassed or any rumour or any scare or any panic being spread on the part of the Government at all. As many as 25 lakhs of foreign people have come during this year itself. About 25 lakhs of people have visited this country during 1999. There is no scare about that. Of course, what he has mentioned about it is that -- he has agreed with this -- we should also take all precautionary measures.

We should keep all our vigil, all our guards intact so that no unauthorised person, no anti-social elements and elements inimical to India get an entry into our country on forged passport or by infiltration without any regular authorised documents. Of course, the Government is always aware of this. We are sure that this will not be allowed to happen.

Most of the grievances of the hon. Members have been about the delay, the corruption, there being no definite stipulated period having been fixed for issuing a passport and the enquiry taking a longer time. So far as the Home Ministry is concerned, we have been sending advisories. We can assure you that we will again ensure this. So far as enquiry about the verification of the applicants is concerned, this goes to the district police authorities and this should be expedited. Nothing should be delayed there on their part so that the verification is done in a particular period. On that account, the Passport Authority should not make any pretext for not issuing the passport early.

Of course, the Tatkal scheme has already been put in vogue. But again under the Tatkal scheme also, after the deposit of some money, so many people have applied. Then, there also, it becomes a long list and it takes time. So far as computerisation or making use of the latest technology is concerned, I think all the Departments and Ministries of the Government of India are trying their best to implement all these technological developments so that speedy work is done in all the Departments for not only passport but for all other purposes.

श्री मोहन रवले : जिनका वीजा खत्म हो गया है, ऐसे कितने लोग हैं? *â€œ* (व्यवधान)

SHRI I.D. SWAMI : I do not have any figures about them because it is not Question Hour. It is an amendment of a particular Bill.

श्री मोहन रवले : मैंने पर्टिकुलरली सोनिया गांधी जी के बारे में ड्युअल पासपोर्ट के बारे में पूछा था, उसका आपने जवाब नहीं दिया है।*â€œ* (व्यवधान)

SHRI I.D. SWAMI: The issue of dual passport has been under the consideration of the Government for a long time. It is a very complicated issue. It is the issue of double passports. It pertains to dual citizenship. My dear friend, I have not come here to answer a question. I have only moved a Bill for enhancement of the punishment. It is not very relevant to this but still I admire and value those suggestions and those proposals which you have put forth. So far as the Home Ministry is concerned, I assure you that all these would be kept in view. The other suggestions, which pertain to the Ministry of External Affairs, would be passed on to the quarters concerned. With these words, I once again request you that this Bill with which the whole House has agreed, and is unanimous that enhancement of punishment is necessary, may be passed.

Another complaint has been that it has been done after a very long delay. It should have been done earlier. It is because of Myanmar, Pakistan and Bangladesh coming into being, because of many other security scenarios changing, and keeping all these things in view, we should have moved earlier. But now we have moved it. I hope the august House would pass this Bill unanimously.

With this request, I once again thank all the hon. Members who have participated and who have helped me in knowing many things which were perhaps not in my knowledge. Thank you very much....*(Interruptions)*

MR. SPEAKER: Shri Mohan Rawale, you have already participated in the debate. Again you are asking for clarification.

SHRI KHARABELA SWAIN (BALASORE): There was a report that of all those people coming through Samjhuta

Express to India, most of them are carriers of narcotics. They are being used by the ISI for subversive activities in this country. So, my suggestion is that the proposal for cancelling this Samjhuta Express should also be considered actively by the Government. This is my suggestion to you.

SHRI I.D. SWAMI: I have taken note of it.

MR. SPEAKER: The question is:

"That the Bill further to amend the Passport (Entry into India) Act, 1920, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. SPEAKER: The House will now take up clause-by-clause consideration of the Bill.

The question is:

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

MR. SPEAKER: The question is :

"That clause 1, the Enacting Formula and the Long Title stand part of the Bill"

The motion was adopted.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI I.D. SWAMI : I beg to move :

"That the Bill be passed."

MR. SPEAKER: The question is :

" That the Bill be passed."

The motion was adopted.

1831 hours

The Lok Sabha then adjourned till Eleven of the Clock on

Wednesday, November 29, 2000/Agrahayana 8, 1922 (Saka)
