

[English]

14.53 hrs.

INFLUX FROM PAKISTAN (CONTROL) REPEALING (REPEAL) BILL

MR. DEPUTY SPEAKER: Now, we take up Item No. 8 of today's List of Business.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO): Sir, I beg to move:

"That the Bill to repeal the Influx from Pakistan (Control) Repealing Act, 1952, as passed by Rajya Sabha, be taken into consideration."

MR. DEPUTY SPEAKER: Motion moved:

"That the Bill to repeal the Influx from Pakistan (Control) Repealing Act, 1952, as passed by Rajya Sabha, be taken into consideration."

SHRI PRIYA RANJAN DASMUNSI (Raiganj): Sir, this Bill is not that important that we discuss it. It is only a Repeal Bill and we all support it.

I would like to just inform the hon. Minister that though this Bill is now out of the Statute Book, it has a relevance to the history of our National Struggle. Unfortunately only two States of India are the victims of the partition and also of the passport-visa system. They are the States of Punjab and West Bengal. Their sacrifices are the most. They lost not only their lives during communal riots but they left their property in the then Pakistan from 1947 to 1949 and later after 1951.

I was born in the undivided India, two years before the Freedom, which is now Bangladesh. I know the agony and the pain of my parents. At the midnight, after 12 o'clock, we were all sleeping and suddenly my mother packed up everything and we started walking for an uncertain destination and came to the border of India, the land which gave us refuge and everything.

Sir, at that hour of crisis, people of Punjab and people of Bengal in thousands and millions came to this part of India and they were identified and nicknamed 'refugee'. They had sacrificed everything for the national movement....(Interruptions)

DR. NITISH SENGUPTA (Contai): In the case of Bengal, the name, 'refugee' was not given to them...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: Sir, I remember about my parental home, where we used to shout *Vande Mataram*. One day, 180 people were killed in the town of Barasat by the Britishers. I remember, the freedom fighter late Ashwini Datta, and other freedom fighters, who launched the battle towards *Khadi* were beaten and many of them went to jail. They all had to leave their homeland and came back during partition and settled in various places. People of Lahore, Punjab, Ludhiana, Dhaka and Chittagong had sacrificed everything and came here. When they came to India, I am grateful that the then Indian Government immediately provided them shelter, education, support and all kinds of things. The problems of the settled colonies of the refugees, which my dear colleague Shri Tapan Sikdar will agree, have not been settled till today. Take the cases of Andamans, Dandakaranya, Mana camp in Raipur, Coopers camp in West Bengal and in Pilibhit, where from Shrimati Maneka Gandhi comes. In these places, people are still not able to feel that they are in a free India to get the treatment. Even today, whenever we try to harm some people as agents in the name of Bangladeshi, you some time make a mixture and even hit those people who were here for the last decades.

Therefore, my appeal to the hon. Minister is, have this Bill repealed but please have a look on two accounts — (a) find out the living conditions of the people who have been suffered in Dandakaranya, Mana and in various other camps, where they have got the title right in respect of their properties and their holdings, and what are the support they have got; and (b) whether *pattas* have been ensured in respect of the people who have already settled in the colonies, whether the development process is slow or not, and how they are moving. This is my humble appeal to the hon. Minister, through you, Sir.

Finally, Bangladesh liberation struggle had started in 1971. Hundred million people came to India and the then Prime Minister, Mrs. Gandhi, provided through her Government and the Parliament, enough support to them. Till today, the districts which took the burden in that hour of crisis and provided shelter to these people have not yet been compensated in their development process. One of the districts is my district, where more than one million people were given shelter and home. A few of them could not go back and Sir, you know the reasons. Most of them are Hindus. Still they are in the streets. I know about a few families, who are begging in the streets. The Government should have taken due consideration on this issue. Sir, many of the freedom fighters who came to India after partition could not carry their documents with them. They only quoted some reference about the jail where they had suffered. Supported by a

few co-prisoners, they got freedom fighters pension. I can tell you about the two families. The great martyr Surya Sen in Chittagong and others came to this part of the country. They quoted the jail records but still they have not been provided with freedom fighter pension. Therefore, I would request you to give some importance to these facts, to take cognisance of this matter and provide justice to those who have been in the united India and who did everything to make the country free from the British Raj and became a victim of partition and settled in Punjab, West Bengal and other places, and especially those who have been settled in Andamans.

With these words, I support this Bill. I appeal to the hon. Minister, through you, Sir, to take cognisance of these facts and the hard realities in respect of the problems of the refugees settled in the colonies of the country, including that of your own Minister's constituency, Dum Dum, which have not yet been resolved till today.

[Translation]

15.00 hrs.

DR. RAGHUVANSH PRASAD SINGH (Vaishali): Mr. Deputy Speaker, Sir, hon'ble Minister has introduced a bill regarding Influx From Pakistan (Control) Repealing Act, 1952. In this regard, Hon'ble Shri Priya Ranjan Dasmunsi has described the pain and agony of the partition era. In 1949, a rule was made for the people migrating from Pakistan to India. Later after repealing the said Law, this new law was formed in 1952. Now, it is stated that in 1974, Indo-Pak visa laws were formulated and the law which was formulated in 1952 has become irrelevant now. Indo-Pak Visa law is for ordinary people who wish to move between the two countries but I would like to know from the Government what alternatives does the Government have for those terrorists who enter the country without any visa? I mean to say that all the rules and restrictions are for common man while terrorists and anti-national elements have no check. Hon'ble Minister should tell about the number of people from Pakistan who entered our country without visa. It is stated that following the enactment of Indo-Pak Visa rule 1974, there is a need to repeal the earlier law of 1952. However, what plans the Government have to counter the urgent need of the country?

Mr. Deputy Speaker, Sir, we belong to the culture of "Vasudhav Kutumbkum". I would like the Government to make investigations in this regard. There is no restriction on the movement of goods under W.T.O. Due to it Basmati rice has vanished from the market. However, restrictions should be imposed on the movement of

people. I would like this system of Passport and visa to be abolished so that people from all over the world visit our country. Our people are capable of earning their livelihood anywhere in the world. The Government should reply in this regard and investigate the matter. We want that system of visa and passport should be abolished. What type of law is this which restricts the movements of common man but allows the unrestricted movements of terrorists and criminals. Movements of goods under WTO are also restrictions free. Such a law should be repealed and we support it. The Indo-Pak visa law should not restrict the movement of common people. Our country divided but our way of living is same. Pakistan had been part of India. We want that the system of Passport and visa should be abolished from all over the world and people should have the facility to move from one place to another. As people from all over the world have freedom to visit India, they should have the liberty to move anywhere in the world. We have vast population which can move to the other countries, earn money, serve the humanity and propagate our cultural values. Why are we boosting our culture and confining it to our own country? Therefore, I would like to tell the hon'ble Minister that the infiltration of terrorist from other countries poses a threat to the International Security of our country. Passport and visa laws have been meant for common man but which law has been formulated for these infiltrators? What control the Government has on them? These infiltrators carry out violent activities in the country through I.S.I. They are involved in terrorist activities in Kashmir and creating tension in border areas. Therefore, the Government should clarify the situation in this regard. Then we will see whether to support it or not.

KUMARI MAMATA BANERJEE (Calcutta South): Mr. Deputy Speaker, Sir, I am grateful to you for giving me an opportunity to put forth my views. Sir, the Government has brought the bill regarding the Influx from Pakistan (Control) Repealing Bill, 1952. The Government is trying to repeal the act which was formulated when refugees from Pakistan and Bangladesh had come to our country. However, I would like to request that something should be done for the displaced persons of Pakistan and Bangladesh which has not been done till date. In 1971, an agreement was signed between Shrimati Indira Gandhi and Sheikh Muzibur Rahman. Prior to which a Pact was also signed between Shri Jawaharlal Nehru and Shri Liykat Ali Khan. As per this pact, an agreement was made to provide rehabilitation to the displaced persons who had come to our country after 1971. Refugees from Pakistan and Bangladesh came to several states of our country particularly Punjab, West Bengal, Andaman & Nicobar etc. Earlier, our country was not divided but after partition, R.R. Departments were opened in several States

[Kumari Mamata Banerjee]

to complete the work of refugee rehabilitation. Now, several States have abolished this department. They also abolished the RIC, rehabilitation industries, industries corporation etc. which were set up for providing economic rehabilitation. The Government's plan to rehabilitate and to give recognition to refugees and to regularize their colonies has also not been completed till date. Central Government has sent funds to the States but there are many problems in this regard. These problems are in my State also. That Fund has not been utilized entirely for refugee rehabilitation. In many places like Punjab, Jammu & Kashmir and also in my State, rehabilitation has not taken place and it has become a problem. I would like to state that you may repeal the law but before doing so it must be ensured that what our Government had stated in Nehru-Liyakat pact and Indira-Muzirbur Rahman pact formed after position is implemented. I very well remember that I raised this issue when Shri Rajiv Gandhi was Prime Minister.

[English]

We are grateful him for that.

[Translation]

He approved the free-hold rights for refugee rehabilitation. As refugee rehabilitation is a State subject, State Governments also provide some assistance. I know that this Government want to take positive stand regarding refugees. The Government has taken some positive stand in this regard. BJP's stand also favours refugee rehabilitation. However, it should be checked how many colonies have been registered for the rehabilitation of refugees. As we have sentimental relations with the refugees, it would be inappropriate to repeal the law. On many occasion, people from Pakistan and Bangladesh border visit our country. There are borders like 'Nadia' and north 24 Paragana in West Bengal. People from Bangladesh have an emotional relation with our country. They visit our country regularly. Union Government has paid attention towards it and like Delhi-Lahore bus service, but and rail service has been started for Bangladesh. I agree that Government has done something but there is a need to monitor which has not been done till today. It should be checked whether the money released to State Government is utilized properly or not?

There are many people who could not get education and employment. Earlier, they used to get economic rehabilitation from I.I.C. but even that has been stopped now. I would like that before repealing the Act, hon'ble Minister should pay attention towards the distressed persons and officials.

[English]

I support this Bill but, at the same time, I would like to make a request to the hon. Minister because the same problems are there in Assam and other places in regard to minorities. Sometimes, they are raising the issue like deletion of names from the voters' list etc. They have to see who the genuine persons are and the Government has to take care of them according to the agreement signed by the Government. I am not saying that it is a problem only of Assam, West Bengal or Punjab; it concerns the entire country. I would request the hon. Minister to please ensure that people who came to India under the India-Bangladesh Agreement, do not suffer for political, religious or any other reason. They should be protected.

SHRI RUPCHAND PAL (Hoogly): Mr. Chairman, Sir, it is more than 50 years ago that this Bill was enacted and a lot of changes have meanwhile taken place.

But I am very sorry to mention about the unfortunate people who are the victims of partition. Their rehabilitation has not only been tardy but in many places it has been very incomplete. Even the people who had gone to Madhya Pradesh, Dandakaranya, Andaman & Nicobar Islands and such other places on the request of the then Union Government, are still facing very many difficulties. Even in West Bengal there are one crore people who had come to that part of the country in different phases. But, unfortunately, the Union Government - the Congress Government at that time - had tried to absolve themselves; relinquish the responsibility of rehabilitating these poor people who are the victims of partition. I am not apportioning any blame. It is known to every student of history as to how partition took place, the conspiracy of the British *Raj* at that time and many more things. I am not elaborating on them. The students of history know it as to who was responsible for partition.

DR. NITISH SENGUPTA: It was your Party, the CPI(M) that supported it...(Interruptions)

SHRI RUPCHAND PAL: Please do not try to have these old, wrong ideas. I request you to please study history...(Interruptions)

MR. DEPUTY SPEAKER: Shri Rupchand Pal, we have reserved only half-an-hour for this Bill.

SHRI RUPCHAND PAL: Sir, I am addressing you. The hon. Member is trying to derail me.

, The United Council of the Refugees Committees is a broad-based organisation which submitted a memorandum

to the Government of India, which was the Congress Government then, for a minimum support of Rs. 1726 crore for rehabilitation of those people who had come to this part of the country in West Bengal numbering about one crore. But, unfortunately, the Congress Government did not listen to them; rather they had done away with that Rehabilitation Ministry.

Now, the BJP-led NDA Government are going one step further. They are not only relinquishing this responsibility but even more. In Delhi, the refugees who have come to Delhi, who are poor people and who are earning their livelihood here through hard day's work are being called infiltrators and the Delhi Police officials are punishing them and they are taking them to the police stations and harassing them. This is happening in Maharashtra also. Several times, on the floor of this House, we have drawn the attention of this Government as to how these poor refugees in Maharashtra, who had come from that part of the erstwhile Pakistan, which later became Bangladesh, are being harassed and that this Government Government has a responsibility for them. The RCI is being dismantled as is done in respect of many other public undertakings. It is being done away with.

Sir, I am concluding. Although it is a simple repeal Bill, the Government should consider that the victims of partition who are still there, many of whom are still suffering, need some sympathetic consideration. They have a demand to the Government that they should be adequately helped for their rehabilitation.

I again reiterate this demand. I thank you for giving me the opportunity to speak in this connection.

[Translation]

MR. DEPUTY SPEAKER: Shri Ramjilal Suman, earlier also you were called to speak but you were not present in the House. Please speak precisely. Put forth your views in one or two minutes only because only half an hour has been fixed for this complete bill and it is going to be over soon.

SHRI RAMJILAL SUMAN (Firozabad): Mr. Deputy Speaker, Sir, the division of Hindustan and Pakistan was an artificial division. The Government should make concrete efforts for the rehabilitation of the refugees.

Mr. Deputy Speaker, Sir, I would like to mention one thing about the bill regarding Influx from Pakistan (Control) Repealing Bill, 2001 that people of Hindustan and Pakistan visit each other. Therefore, to and fro of these people should be made more easy.

In 1977 when the present Prime Minister was the Minister of External Affairs of the country, it was agreed that Government should adopt a liberal attitude while issuing visa and passport to the people visiting India and Pakistan as we have an emotional bonding with Pakistan. Many people of our country have their relatives in Pakistan. People of both the countries have friendly relations. The most important thing is that people of both the countries wish to have friendly and cordial relations between them. Rulers of Pakistan may create an atmosphere of hattered but citizens of Pakistan are not in favour of creating tension between the two countries. Therefore, Mr. Deputy Speaker, Sir, through you, I would like to submit that the people coming here from Pakistan face several difficulties if they extend their stay. The Government should take stringent action against terrorism but its behaviour towards the common man of Pakistan should be positive. This much was my submission.

SHRI NARESH PUGLIA (Chandrapur): Mr. Deputy Speaker, Sir, I thank you for giving me an opportunity to speak. Through you, I would like to submit to the hon'ble Minister regarding the Influx from Pakistan (Control) Repealing Act that after the war with Pakistan in 1965, large number of refugees from East-Pakistan and Bangladeshis have come in Chandrapur district of Maharashtra. Chandrapur is my parliamentary constituency in Maharashtra. Just now, Shri Rupchand Pal has stated that the refugees are harassed in Maharashtra. It is wrong. They are not being harassed rather the then Government and Shrimati Gandhi provided them houses, land and agricultural facilities. However, these days, they are facing another big problem. Seventy thousand families have been rehabilitated in my district alone out of which 65% people belong to scheduled castes. They are called "Namshudra". In West Bengal, they are being provided with the facilities given to the Scheduled Castes. However, in Maharashtra they are not provided with the facility of 'namshudra' due to which they are deprived off education and jobs. I would like to state from the hon'ble Minister that State Government has consulted the Central Government several times in this regard. Central Government should direct the Maharashtra Government to give the status of Scheduled Caste to the 'namshudras' who have been rehabilitated there and all facilities should be provided to them. I thank you for giving me the opportunity to speak.

SHRI RAMDAS ATHAWALE (Pandharpur): Mr. Deputy Speaker, Sir, the bill to amend the 1952 law has been brought here. Just now, Shri Naresh Puglia has stated that Scheduled Castes people belonging to 'namshudra' society have come in West Bengal and

[Shri Ramdas Athawale]

Maharashtra especially in Mumbai. Their demand is that they should be treated as citizens of India since they have been living here for the past so many years. They have not been provided with the right to vote till now. My demand is that as the Government has given shelter to refugees in our country, it should give citizenship to these refugees and should pay attention towards them. People from Pakistan also visit our country. However, good people are not being given the opportunity to visit our country but insurgents and terrorists are coming every day. A stringent law is required to be enacted in this regard. We are in favour of friendship between India and Pakistan but Musharraf ji is not interested. I request the Government that friendly relations with Pakistan should be maintained but if Pakistan is not ready to do so, Shri Atal Bihari Vajpayee should cancel his tour to Pakistan. The Government should reconsider its decision to visit Pakistan. I would like to know from the Minister whether the visit of Shri Atal Bihari is going to be cancelled or not? It can be detrimental for you if Shri Atalji's tour is not cancelled. This much was my submission.

[English]

SHRI CH. VIDYASAGAR RAO: Hon. Deputy-Speaker, Sir, it is a very simple Bill. The Influx from Pakistan (Control) Repealing Act, 1952 has become redundant, inoperative and it need not have to be retained in the Statute Book.

Hon. Members Shri Dasmunsi, Kumari Mamata Banerjee, Dr. Raghuvansh Prasad Singh, Shri Rupchand Pal and others have spoken on this Bill. I am thankful to all the hon. Members for highlighting a number of issues, mostly the problems of the refugees who came from Pakistan and Bangladesh and settled down in a number of places in this country. Most of the facilities are yet to be given to them. They have highlighted all the problems, and I am very thankful to them. However, at the same time, I would like to mention that they are in no way connected with this Bill.

The purpose of this Bill is simply to repeal the Repealing Act. In the old Act of 1949, there is a provision to give permits to the nationals coming from Pakistan into our country. That Act was repealed in the year 1952. According to the saving provision in clause 3, a person who came from Pakistan may be residing somewhere in the country. Therefore, when we asked for information from the State Governments and also the Union Territories, we got the reply saying that no such person from Pakistan holding this permit was residing in their respective States or Union Territories. That is why, it has to be repealed.

So far as the problems of Bangladeshi refugees, who settled down at Dandakaranya, Andaman and Nicobar Islands and other places, are concerned...*(Interruptions)*

SHRI VARKALA RADHAKRISHNAN (Chirayinkil): A lot of people migrated to India because of partition. Those people who have migrated from Pakistan as well as from Bangladesh have their own property in their country of origin. Crores of people have migrated to India. Did you take any steps to recover their properties? Did you initiate any steps to see that these properties are returned to those people?

MR. DEPUTY SPEAKER: This issue is not connected with the present Bill, Shri Radhakrishnan. You are talking about something else.

SHRI VARKALA RADHAKRISHNAN: It is their loss.

MR. DEPUTY SPEAKER: This issue is not connected with this Bill. The Minister has taken note of the grievances expressed by the hon. Members.

SHRI VARKALA RADHAKRISHNAN: I do not say that it is connected with the Bill. The thing is that their own properties are left out there and they should be brought back.

SHRI CH. VIDYASAGAR RAO: After the Indo-Pak Visa Agreement of 1974, the movements of Pakistani nationals are being regulated by the visa and passport system.

So far as the Bangladeshi refugees are concerned, as Kumari Mamataji and others represented, the problems of these refugees will be definitely dealt with in accordance with the laws. So far as the problems pertaining to the freedom fighters' applications are concerned, I have taken note of that.

So far as Dr. Raghuvansh Prasad Singh's argument is concerned, definitely we are determined to face these Pakistani terrorists who are straying into our country. Our Paramilitary Forces and our Army are controlling them. We will definitely control them and there is no problem in it.

Of course, rest of the points have been noted and they will be dealt with in accordance with the laws.

I, therefore, request you to kindly pass this Bill.

MR. DEPUTY SPEAKER: The question is:

"That the Bill to repeal the Influx from Pakistan (Control) Repealing Act, 1952, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

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

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

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

SHRI CH. VIDYASAGAR RAO: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.
