

**15.32 hrs.**

**RESOLUTION RE: ILLEGAL IMMIGRANTS—Contd.**

*[English]*

MR. DEPUTY SPEAKER: Now we will take up further discussion on the following Resolution moved by Shri Jagat Vir Singh Drona.

Shri Manoranjan Bhakta.

SHRI MANORANJAN BHAKTA (ANDAMAN AND NICOBAR ISLANDS): Mr. Deputy Speaker, Sir, on the other day when I was speaking on this Resolution, I said that so far as this Resolution is concerned, it looks very innocent, but once we start discussing the purpose of the Resolution, then we would find that the subject is controversial and the subject is so serious that it would have a lot of repercussions on the whole country.

So far as the citizenship issue is concerned, after the Partition, refugees had come from different parts of Pakistan. Providing citizenship to them has not yet been decided.

After the Assam Accord was signed, in one stroke of pen, within a particular cut off date, all those people who are residing there became the citizens of India. But the matter regarding others is not yet finalised. As a result what is happening in Uttar Pradesh, particularly, Nainital, Pilibhit, Bijnor and in many other areas is that people are coming with complaints that they are staying there for 25 years or 30 years but even then their pleas for citizenship not considered.

Here, I would like to mention about the letter written by an hon. Member, Shrimati Menaka Gandhi, I quote:

*[Translation]*

In my constituency Pilibhit, people belonging to a particular community have been ignored by the Uttar Pradesh administration for the last twenty years. They are not being provided even essential and basic amenities for living even though these generally provided by the local administrator. Besides this, Gupta Colony, Joshi colony, Nuria colony, Mauf colony and other areas which have been mentioned. She has told how atrocities have been committed against a particular community.

*[English]*

I would like to mention here that in this perspective it is not a small issue. This issue is a bigger one as we find that there are 40 lakhs of Nepalese citizens living in India; Bhutanese are living in India; Tibetans living in India; Sri Lankan Tamils and the LTTE people are coming to India. I would like to ask a question here. If this Resolution wants to deal with the citizenship issue and the illegal immigrants coming to other parts of the country *in toto*, then, I can understand that there is a point. If they are singling out one community only, then it seems that there is some motive behind it. In that case, I have my objection.

I think that we will not do justice in this sphere.

Sir, one can raise the question of international Agreements. There was an Agreement with Nepal. There are also other Agreements. Even there was Nehru-Liaquat Agreement. There was an Agreement with Sheikh Mujibur Rehman and so on. On the basis of those Agreements, decisions had been taken about the minorities in Bangladesh, the erstwhile Pakistan. Nobody had made any assessment about supplementing them. By simply branding them as Bangladeshis and asking the Government to remove them is highly objectionable. I raise this objection here.

Sir, there is another important point. Since the Government of India is having a better relation with the present Bangladesh Government, I would like to request the Government to take up this matter with them. What about the alien, refugee properties? Those properties are not the properties of Bangladesh. The people had left and come here as refugees. What about their property? What about their status today? I want to know whether the Government would like to discuss this issue with the Bangladesh Government.

Then, we must also understand that among the SAARC countries, India is an affluent country. India is the richest among the SAARC countries. As such there is a trend all over the world, that the people belonging to poor countries start migrating to the nearby rich countries for getting jobs and for earning their livelihood. Even Indians go to America or Canada or the Gulf or such other countries, whether illegally or legally, because they are affluent countries and just want to earn their livelihood.

*[Translation]*

VAIDYA DAU DAYAL JOSHI: Even after staying for ten-twenty years, citizenship is granted.

SHRI MANORANJAN BHAKTA : Where is it granted?

VAIDYA DAU DAYAL JOSHI: In countries like America, citizenship is granted in this manner.

*[English]*

SHRI MANORANJAN BHAKTA : They give them green cards. They give them work permits. Why do you not introduce it here? I am saying that I am not against illegal immigrants coming here and they should be stopped from coming to this country. What I am saying is that all of them are not illegal immigrants. It is not correct to say that all are illegal immigrants. This country was one. Ethnically and culturally also, we were one. We had one citizenship. Only after partition of this country, this question has come up. At the time of partition, an assurance was given that the minorities who come to this part of the country will be provided shelter. You give them shelter. This is a bigger issue. At the time of Independence, we had a population of 33 crores. Today, it has gone up to 93 crores. Only because of increase in population, many problems have come and we are facing them today. So, the Government should try to examine all these matters.

What do you think of Nepali population who are coming to our country ? What is your idea about them ? Why are you not saying anything about them ? They are also getting jobs. What about Tibetans ? What about Bhutanese people ? What about LTTE people who are coming to this part of the country ? On all these questions, the Government should bring out a White Paper so that the magnitude of the problem can be known. Thereafter, a decision can be taken appropriately. But, today, singling out one community as Bangladeshis and branding them as foreigners is not correct. They might have come illegally. I am not against throwing out illegal immigrants. But my point is that in the name of illegal immigrants, you should not throw the refugees out. You must understand that point.....(Interruptions)

SHRI JAGAT VIR SINGH DRONA (KANPUR): May I just intervene for a moment ? My Resolution is very clear. It is not aiming at any particular community. I said that all those who have illegally immigrated into India after 1975 should be identified and deported. Shri Bhakta, it is not against one community in particular. That is why, I want to correct....(Interruptions)

SHRI MANORANJAN BHAKTA : I am happy that you have clarified the position. Before that, whenever you all spoke, you had all only named the Bangladeshis and nobody else. You had only named the Bangladeshis and nobody else. Now I am happy you have clarified that you have included all those who are coming from other countries...(Interruptions)

SHRI JAGAT VIR SINGH DRONA : Shri Bhakta, I request you to go through my speech. It is not Bangladeshis alone, I have named Pakistan, I have named other countries and the majority of them have come from Bangladesh. That is what I have said...(Interruptions)

SHRI MANORANJAN BHAKTA : Sir, I would say that his Resolution is a good thing in one way. I must congratulate him. He has given us an opportunity to discuss this issue, particularly the citizenship issue and illegal immigrants issue. Now it is the responsibility of the Government to bring out a White Paper on this so that the magnitude of the problem is known and appropriate action can be taken by the Government. So, I request the hon. Minister, the Minister of State for Home Affairs, who is present here to give a specific reply, when he is replying to the House, what about the alien properties in Bangladesh, what about the Nepalese, the Tibetans and Sri Lankans, who are living here; what are their basis; what they are going to do with those minorities, who have come here and staying here for 25 or 30 years, — even in some places they have been rehabilitated—and how you are going to provide citizenship to them and how soon you are going to provide the citizenship.

With these words, I thank you very much for giving me this opportunity.

DR. ARUN KUMAR SARMA (LAKHIMPUR): Mr. Deputy Speaker, Sir, the problem of infiltration of foreigners

is the unfortunate outcome of partition after Independence.

Sir, I represent Assam, the North-Eastern Region. After our boundary was fixed, the border in the eastern side, that is East Pakistan now, presently termed as Bangladesh, was open till 1957. But the border in the western sector with West Pakistan was sealed at the time of partition. Not only that, even after 1957, because of very liberal approach to East Pakistan, which is now termed as Bangladesh, a large number of infiltration took place to Assam and in other parts of the North-Eastern India. This problem had further aggravated after the Pakistan war in 1965 when a large number of refugees crossed over to the Indian side and stayed back. In 1964 some Tribunals were formed under the Foreigners Act for identification of foreigners and their deportation. That was also stopped in 1969 because of political influence. This problem had further aggravated when in 1971 Bangladesh was formed, a large number of population of all the religious communities, irrespective of any religion, Chakmas, Buddhists, Hindus and Muslims, settled down in different parts of the North-Eastern Region.

Negotiations were there. Indira-Mujib pact was there. But a very little emphasis was made to send back the refugees at that time. At that time, when the situation became very much alarming, the people of Assam under the leadership of All Assam Students Union and All Assam Gana Sangram Parishad initiated a mass movement through Gandhian principle methods. After Independence, this was the first mass movement based on Gandhian theory. It was the first non-violent movement. But the people of Assam at that time were termed as parochial, chauvinists, anti-nationals, secessionists and so on.

I am happy that today after a lapse of 20 years, in this House, the Members of this august body of this country, are expressing their concern for the increased infiltration from across the border. It is not only from Myanmar border but also from Bangladesh, Nepal and Tibet borders, and also from some other countries. Infiltration takes place from Pakistan also.

I listened to the contention of some of the hon. Members when they spoke last Friday. It was alleged that the All Assam Students Union which ultimately led to the formation of Assam Gana Parishad and is now in power, has forgotten the issue. I strongly object to such a contention. Who were the signatories of the Assam Accord ? The Central Government was also a Party and during that time, the Government which was in power was a signatory to the Assam Accord. Lot of problems were created thereafter. There were some discriminatory Acts which existed like the Illegal Migration (Determination by Tribunal) Act, 1983. Not only that Act, there are many other Acts which were aimed at protecting the infiltrators who have crossed over to Assam.

The so-called IMT Act which is aimed at protecting the interests of the minority, is a discriminatory Act. This act is applicable only to Assam and not to other parts of

[Dr. Arun Kumar Sarma]

the country. If the entire nation is interested to keep some infiltrators, still interested to allow some of the infiltration to take place, to give them shelter and to give them voting rights, we have no objection. But they should do it in some other parts of the country. But why is Assam always made a dumping place for all the burden of all the population, irrespective of Hindu or Muslim at the cost of our identity, at the cost of our cultural and economic interests in the region ?

It is heartening to note that in some parts of the North-Eastern region, the original inhabitants were reduced to minorities, as for example Tripura. In the national interest, Assam has shown its greatness by accepting a large number of refugees up to 1971 and they were given citizenship rights as per the clauses of Assam Accord.

[Translation]

MR. DEPUTY SPEAKER: You please stop for one minute; this resolution was allotted two hours which have been completed. If House wishes, it can increase one hour.

SHRI P.R. DASMUNSHI : Mr Deputy-Speaker, Increase the time, it is very important issue.

[English]

MR. DEPUTY SPEAKER : All right, you continue.

DR. ARUN KUMAR SARMA : This is a serious subject and I am happy to learn the concern of our hon. Members who are present here. The people of Assam have shown their good gesture by accepting a large number of refugees and also infiltrators keeping national interest in view. Those who have come from Bangladesh or from some other country to a definite period that is, up to 1971 have been given citizenship status.

They were also given the voting rights. But it should not be that for 100 years to come the infiltration will take place, that all the infiltrators will be given shelter, land, economic benefits, economic status, the right to vote and the right to decide our political destiny. This situation requires attention from all corners of the House and I would like to appeal to all the parties. We have to remove the obstacles which stand in the way of prevention of infiltration of foreigners. The members of some parties have mentioned that the Illegal Immigrants (Determination by Tribunals) Act is the only Act which can protect the interests of the minorities.

This Act is a discriminatory Act because of which a number of people have crossed over to India through other boundaries, they have come and settled in Assam and they are getting all sorts of protection through this Act. It is in the interests of the Indian minorities who were given citizenship after they were accepted as per the Assam Accord. The Indian minorities who have been shifting their homes since time immemorial. It is in their interest that this Act is to be modified as provided in the Assam Accord and if it is not amended, it should be repealed.

15.52 hr.

(SHRI CHITTA BASU *in the Chair*)

I want to clarify this point. This Act is applicable only to Assam and the entire responsibility of identification of the infiltrators is shifted to the common citizens. For identification a citizen has to file a petition with sufficient evidence to prove that a particular person is a foreigner, he has also to pay a fees for that and after that he has also to depose before the tribunal to prove that a particular person whom he has alleged as a foreigner was a foreigner.

It is a discriminatory Act; it discriminates against the prevailing laws of the country, the Constitution, the rights of the Indian citizens residing in the country and it is also a discriminatory Act which is applicable only to Assam. Therefore, this Act requires an immediate review or a suitable modification should be made by which the Act should be made applicable to the entire country, not only to Assam. I must reiterate that Assam should not be made a dumping ground for all the infiltrators or for all the refugees. I strongly condemn the attitude of a former honourable speaker who tried to antagonise or allege that the Assam Gana Parishad which was sponsoring the Assam Movement at one time is keeping silent now.

I must prove my contention that it is during the five-year period that the AGP was in power all negotiations were taking place with the Government of India and the process of identification and deportation of foreigners was started. Also, in the Common Minimum Programme which was issued when the United Front Government was formed it was mentioned that Assam Accord should be included in the agenda of the CMP. That was included. I want to read only one paragraph with your permission, from the Common Minimum Programme.

#### "ASSAM-AND THE NORTH-EASTERN REGION

The problem of infiltrators or foreigners into Assam will be resolved on the basis of the Assam Accord to which the Central Government is a signatory."

Not only that. When the hon. Prime Minister visited the North-Eastern region in the month of October, there was a declaration on the question of foreigners. It is a published notification. "New Initiatives for the North-Eastern region."

It says:-

"One of the important factors impinging on the identity of the people of the North-Eastern States is the question of foreigners. I have reviewed this issue in some details during my discussions with All Assam Students Union and also several others. It was represented that the laws existing for the detection of foreigners such as Illegal Migrants' Determination by Tribunal (IMDT) Act, 1983 as amended have not proved to be effective. We would take steps to repeal the ineffective laws and strengthen the legal and administrative measures for dealing with foreigners in

consultation with the States. Further, the policing of the border including fencing at appropriate places would be strengthened."

Not even one year has been completed after the United Front Government has assumed office. Very recently, day before yesterday, the All Assam Students Union came and met the hon. Home Minister where it was decided to have clause by clause review of the progress of implementation of the Assam Accord. The hon. Prime Minister is committed, and the Assam Gana Parishad is a part of the United Front and we are actively pursuing the matter. We should not be termed that we are slowing down the process and we are keeping mum. This is a national issue. We initiated it 20 years back. Now, because the problem is extended to other parts of the country, all are concerned. At that time, when we initiated it, we were termed as anti-national, parochial, anti-Indian and so on. The insurgency activities have cropped up because the Assam Accord was not implemented in true spirit. The Assam Accord is an outcome of the non-violence movement, Gandhian movement. The hard-liner extremists' outfit has taken the advantage of saying that there is no meaning of any negotiations, any understanding with the Government of India because there is no value of the non-violence and any Accord.

Lot of Accords were signed like the Punjab Accord, the Mizoram Accord and the Assam Accord. But how many Accords were implemented? It was only for fizzling out the movement in sensitive situations that some Accords were signed. But what about our Foreign Policy? There is infiltration from Sri Lanka because of the wrong policy and the infiltration is still continuing from that country. As far as Bangladesh is concerned, was it our duty to go and interfere with the affairs of some other countries? As a result, a part of the Indian territory has been subjected to undesirable harassment by various types of pressure on land, pressure on economy, pressure on culture and pressure on language. This foreigners' issue should not be viewed on the basis of religion. Some of the parties wanted to exploit the situation by depicting the infiltrators as only Hindus or Muslims. Now, in Bangladesh, there are more than one crore Hindus. If, because of political situation, the entire one crore people come and settle in Assam. I do not know whether the identity of the Assamese people will be protected or not. It is definitely not because India is a big nation; it is like a form of the union of smaller nations, it is Union of India. But because of the lapse in the Citizenship Act and the Foreigners Act and because of lack of proper initiative from the Government of India during the last 50 years after Independence, the foreigners came.

#### 16.00 hrs.

The foreigners came. They got their names entered into the voters' list. They got the right to decide our political destiny. That is very unfortunate. The time has come for all of us to sit together and decide how to prevent future infiltration by completely sealing the border. The sealing

of the Indo-Bangladesh border was a part of the Assam Accord, but it is unfortunate that since 1985, no proper initiative has been taken to seal the border.

#### 16.01 hrs.

(SHRI NITISH KUMAR *in the Chair*)

Still in most parts of our country, the border is not sealed and infiltration is still continuing.

In the interest of the Indian citizens residing in Assam, irrespective of their religion, irrespective of their minority or majority status, infiltration should be stopped and adequate steps should be initiated by the Government and the Home Ministry to check infiltration and to protect the identity of the indigenous population living there.

There was a clause in the Assam Accord to provide constitutional safeguard to protect the people of Assam. Because of the foreigners who were accepted at different times by dint of different Acts and by dint of amendment of the Citizenship Act, there is a pressure on the identity of the original inhabitants in the State, irrespective of caste, creed, religion or language they speak. For the protection of that, this clause No. 6 was inserted in the Accord, but still no proper initiative has been taken to specify the safeguards that are to be granted to the people of Assam.

This is the problem in the North-East when the entire country is marching towards competing with the developed countries. Even after 50 years since Independence, these people of Assam and the North-East have been trying to beg from the Central Government that minimum infrastructure should be provided to them so that the people of Assam and the North-Eastern region can compete with the other developed States of the country. Not to speak of other countries, we cannot compete even with Calcutta or with Mumbai. Because of this backwardness, the foreign tourists were prevented from going to North-East since Independence till 1993. But at that time, a large number of infiltrators were allowed. We were not allowed to be exposed to the outside world but we were forced to bear the burden of a large number of infiltrators, whether Hindus or Muslims or Buddhists, at the cost of our identity. Now it is good that the United Front Government is taking urgent steps to remove regional disparities and economic imbalances so that all the regions of the country can be at par, so that after 2000 A.D. we can compete with other developed nation through liberalised economy.

At this time, we are further afraid that when there is no adequate infrastructure for development, when we are exposed to the developed nations because of the liberalised economy, no private party is willing to go to Assam because of insurgency. Only by sending army, this problem cannot be solved. There should be a pragmatic view and there should be negotiations for sorting out this problem. I am constrained to say that in the Railway Consultative Committee's meeting, where some projects were declared for Assam and the North-Eastern region with additional allocation of funds, the Railway Minister was criticised.

[Dr. Arun Kumar Sarma]

But in the last 50 years this area was deprived of its share. What is the harm if the other parts of the country give a small share from the total allocation for the development of this area so that this area can be at par with the other developed areas ? This is our legitimate claim. The foreigners were restricted to go to that place. Is it not our legitimate claim to be exposed to the outside world ? Still some parts of the North-Eastern region are not allowed to be visited by the foreign tourists. What is the reason ? Such a kind of approach to control the insurgency may even further aggravate the situation.

There is no employment. All the employment opportunities which were there were enjoyed by particular section of people and in future there is no possibility of further employment opportunities with the present set up of infrastructure. If the Government funds are not going to that side and if only private funds are allowed to go there, there will be no development and the areas will be further alienated. That is why, a pragmatic view on the North-Eastern region is to be taken. I request all the hon. Members of this august House, through you, and also the Central Government under the leadership of our noble Prime Minister, Shri H.D. Deve Gowda to initiate further action to remove the regional imbalances and to protect the small States which are the constituents of the Union.

We are talking about national integrity. But how will national integrity come about ? National integrity will not be achieved by sending some forces or by sending some armies. National integrity is possible only when everybody feels that this is my country and we have been properly looked after. If we have to always come and beg here to get our legitimate dues, there will be no feeling of nationalism. This time the people of Assam have also rejected the spirit of secessionist forces and insurgency activities. Now these people should be encouraged. We should encourage moderate group to have link with the national mainstream so that they can come at par with the pace of development of the other developed States of the country and they can get their due share in the nation's employment, other economy and other developmental activities. They should be allowed to expose themselves to the outside developed world. But we have been secluded as if nobody can pass through this area.

Do you know that the North-Eastern region still remains the second pollution-free in the entire world next to the Amazon Valley in South America ? This is the most environmentally-suitable area of tourist attraction and it will remain so in the country. This occupies the second position in the world. There is a potentiality to develop tourism and to develop export with neighbouring countries like the South-East Asian countries through the North-Eastern region. But, there is no infrastructure. The Railway Department says that because there is no industry, it is not economical to extend the broad gauge line and the Industry Department says that because there is no broad gauge line, industries cannot be established there.

[Translation]

SHRI CHATTRAPAL SINGH (BULANDSHAHAR) : Is he delivering speech on Railway or on this topic.

MR.CHAIRMAN : when your turn comes, you can also speak.

[English]

DR. ARUN KUMAR SARMA : I am expressing my feeling. This is the result and effect of the unfortunate partition of our country where some of the small State were further alienated and they were suppressed. The infiltration was imposed upon them at the cost of their identity. The North-Eastern region is rich. Fifty per cent of the exportable tea is produced in Assam, and 50 per cent of the oil reserves of the country and 50 per cent of the coal reserves of the country are in the North-East. The entire timber and the plywood are supplied from the North-East. Now the Supreme Court has to go and intervene.

The ecology of the area was exploited. The Brahmaputra river is the second waterways in the country. It was declared in 1988. The first national waterways, the Ganga is developed to such a great extent that ships are moving, but the Brahmaputra was never developed and so, the ships cannot move. The river and the sea were the traditional routes for development of any civilization. But this Brahmaputra was never developed.

There are many spheres where attention is to be given now for all-round economic development of this area. Otherwise, if we term them only as anti-national, secessionist, parochial and chauvinist, the application of these terminologies will not help national integration. If we want a united and strong India, every small State and backward area should be allowed to develop itself to a great extent so that there are equal opportunities for development, employment and education for all States.

Assam and the North-Eastern region is neglected in all spheres, for example, the natural gas. Assam was the first State to produce crude oil in the country. The first refinery was established a century ago. Since then, gas has been flaring. The Assam Industrial Development Corporation applied to the Government of India for opening a gas cracker project which can produce a large number of ancillary industries also. This was denied. But subsequently, four gas cracker projects were declared in the country which were given sanction. They will be fed with the imported naphtha or gas from other countries. But still, gas has been flaring in Assam and the gas cracker project did not come. For the refinery, the people of Assam had to agitate. Now, 12 years have passed.

I must speak the truth. In 1962, the Chinese attacked the Indian territory. All the Indian Army from Tezpur and Arunachal Pradesh fled away. All the officers fled away and the Indian currency was burnt.

From this august House. It is very unfortunate, the late

Prime Minister Pt. Jawaharlal Nehru gave a statement : "My heart goes to the people of Assam". That was the time when the bureaucracy at Delhi had a feeling that at any time the North-East India can be taken away by China. That is why, no major investments were made there.

Assam and the North-Eastern region constitute more than 33 per cent of the water reserves and has potential to produce more than 50,000 MW of electricity, which can not only feed the country, but also be exported to other countries. The kind of power that can be produced from the water rivers in the North-East is the cheapest in the country because of the geographical situation, the slopeness of hills and other facilities. But in 1980, the Brahmaputra Board was formed and it was entrusted to prepare plans for mega project.

MR. CHAIRMAN : Please conclude now.

DR. ARUN KUMAR SARMA : I will conclude with two minutes.

This Brahmaputra Board prepared plans for five river valley projects. Till today, not a single project is sanctioned. If they had been sanctioned, there would have been electricity and infrastructure for development. Now, it is not possible to establish any industry there because there is no power. We have all potentialities, but they were not exploited for the benefit of the people. They have only been neglected. That is why, the insurgency is coming up.

Sir, the Brahmaputra river bed is coming up due to de-forestation and Jhum cultivation. The river system has come to a level that there is no particular channel of the river. It is because of the silt deposition in the rivers. Now every year 500 to 1000 villages are submerged with the water system. In certain areas the breadth of Brahmaputra is more than 15 kilometres. Small islands are formed and a cultivable lands are covered with the infertile silt. The major cultivable land in Assam is with the tea gardens and the remaining cultivable lands are submerged with the flood water. Now, where these people would go. There is no employment. Whatever minimum cultivable land the tribal people were having is also not fit for cultivation now. During the last two decades more 10,000 villages have been submerged with the water system because river bed has come up, rivers are changing their course and many areas are covered with the silt. When it was brought to the notice of the Government of India, they said that the State would deal with this problem. We were given loans for the flood protection measures. When the question of resources comes, the Central Government is the master. It is the owner of the resources. But when some problem arises, they say that the State would solve it. That was the reason why the insurgency could get strong footing in the North Eastern region. I would like to appeal to the Government to take strong measures for removing the regional imbalances. I also request the hon. Members to bear with us to check infiltration and help us to strengthen the pace of economic development to bring the people of that area at par with the other parts of the country and to bring them

to the mainstream not by gun but by increasing the pace of economic development.

[Translation]

PROF. RASA SINGH RAWAT (AJMER) : Hon'ble Chairman, Sir this year our country is celebrating the Golden Jubilee of Independence. It is but natural that while celebrating the golden jubilee our citizen would wish that our national unity, integrity and borders remain secure. But unfortunately to appeasement policy of Congress and so called pseudo secular people, such an atmosphere has been created that the impending threat to the security and borders of the country is not being viewed by them in correct perspective and sometimes they view it as problem of development and at other time, they link this issue, with some other problems.

Sir, partition of the country was an unfortunate happening. But after the partition and in 1971 when Bangladesh was formed, we thought that our neighbour, a small country will be a cooperative and friendly country. But after this people who came into power started infiltration of their citizens in to India in a very systematic manner. It resulted in tremendous increase in the number of immigrants, we should, say, infiltrators. Due to this increase, social balance of the country linked with security and the social balance and peaceful atmosphere in eastern States got disturbed. It created discontentment among the people there.

Sir, just now my friend of Assam Gana Parishad was loudly speaking.

[English]

'beating the bush but not to come to the point'.

[Translation]

The problem is this that they should be expelled from India. They are related to the security, unity and integrity of the country. They are endangering the country and in a way, they are enemies of the country. Instead of expelling them, the politics of vote bank is being played and these enemies of the country are infiltrators are seen as vote bank. It is resulting in such arguments which seem very surprising.

Mr. Chairman, Sir, when China attacked our country in 1962 then these infiltrators came from Eastern Pakistan, which later on became Bangladesh, and entered in to Assam, Meghalaya, Tripura, Nagaland, Arunachal Pradesh or North-Eastern states. They were happy that the China attacked India and expressed their sympathy with China. Later, they hoisted Pakistani flag and then Government of India realised the factual position and Home Ministry got alert. Only after this, Govt. of India thought that these illegal infiltrators coming from Eastern Pakistan should be expelled from India. History is witness that when Home Ministry got the report from Darang and Nowgaon, a plan was formulated to identify and expell the infiltrators. Implementation of this plan was attempted in Assam,

[Prof. Rasa Singh Rawat]

Meghalaya, Tripura, Bengal. But when Bangladesh was formed in 1971, name of this plan was changed and a force of P.I.F. was formed and named Mobile Task Force to expell such infiltrators. The Border Security Force is deployed on India Bangladesh borders and as the second time of defence mobile Task Force was constituted and P.I.F. was strengthened so that the entry at infiltrators could be checked and they must not be allowed to enter into Indian territory and after their identification they are sent back to their country. In this connection, I want to remind my colleague Shri Arun Sarma that he himself belongs to Assam and his Party A.G.P's Chief Minister is there who had started student agitation at that time. A large scale agitation was going on in Assam during the period from 1979 to 1985 i.e. for six years. All Assam Students Union, A.G.P. and other nationalist parties participated in it and people of our ideology also participated. All of them had launched 'Videshi Bhagao' student agitation from 1979 to 1985. 'Bangladeshi Videshi Bhagao' (Shunt out Bangladesh nationals). Shunt out the infiltrators who have entered into the country clandestinely. When the incident of massacre occurred at Nelli in Assam in 1983, the then Prime Minister Late Smt. Indira Gandhi had enacted a I.M.D.T. law to identify these infiltrators and shunt them out of the country. Sir, through you, I want to say that this Govt. is so undecided that when our Prime Minister Shri Devegauda went to Assam in October, 1996 he said that I.M.D.T. will soon be repealed. When A.G.P. Govt. came to know of it, they were stunned, Congress people gave the ultimatum that they will withdraw their support. They are already looking for some opportunity to withdraw their support. When Janata Dal people come to know about it, they also expressed their unhappiness to the Prime Minister saying that he has created uproar by making such announcement in Assam. Why this drama had to be played? The policy of appeasement and vote bank is the main reason for the move. These infiltrators have got prepared their ration cards after entering into the country and now they have mixed with the people of this country and now they are employed here doing various jobs. They have got their names included in the main voter list of Assam. Mr. Chairman, History is witness to this fact that infiltrators from Eastern Pakistan and Bangladesh were knowingly allowed to enter into the country. They were provided all types of facilities and politics of vote bank was played. Now they felt threatened. These AGP people used to shout that shunt out these infiltrators from here. Now, they are raising the issue of Hindu-Muslim. I support Dronaji's motion. It does not have any mention of Hindu or Muslim. It says:

"This House expresses its grave concern over the large scale illegal immigration into the country since 1975 and recommends that concrete steps be taken to identify all those illegal immigrants and deport them to the country of their origin."

Now whenever this demand is made, they say that Bangla speaking people are being expelled. It is right that Bangladesh's language is also Bangla and language of West Bengal in our country is also Bangla. There is no question to expel people of our own country. When India

and Pakistan were formed an agreement was concluded with Britishers and later Nehru-Liaquat pact was concluded and at that time it was agreed that minority Hindus from there will come here and minorities from here will go there. An agreement was concluded regarding their assets and settlement. So, if a Hindu's name is also included in the list of foreigners and he is in India since 1975, then he is also a foreigner. Regarding the foreigner immigrants, we are talking of deporting them, but we say 'A guilty mind is always conscious.' Whenever this issue is raised then it is said that BJP people are raising the issue of infiltrations to create troubles for minorities. Then the issue at minority and majority, causing feelings of disunity in the society and in the country are raised. But one country is one and is united from Kashmir to Kanya Kumari, Gujarat to Nagaland. Crores of Hindu-Muslim-Sikh-Christian are all one in this country. They all are citizens of this country and have equal rights. They are living in the same nation and are governed by the constitution. We have been demanding that illegal immigrants from Bangladesh and elsewhere should be sent back to the country of their origin but, sometimes in the name of minority and sometimes majority. It is said as to why we do not ask for deportation of Hindus? Jinnah demanded Pakistan in the name of religion. Resultantly the country was divided into two parts. We made many efforts to keep India united but unfortunately it was divided into two parts in the name of religion. Gandhiji had said that he would lay his life if Pakistan was formed but later he also accepted the formation of Pakistan. No question arises at all to deport those people who came to this country after losing their property, their religion and their society. The reason for Bangladeshi people, who came to India in 1975 after 1971 and also often either due to poverty or for getting job opportunities or sense of security among them under the umbrella of Pseudo-secularism in India. But since this is a matter of our national unity and integrity, a matter of peace and love in our country, they have to be sent back to their own country—be they Bangladeshi or Pakistani. Though, some Tibetan people also took refuge in our country. They came with Dalai Lama we gave them shelter in Dharmshala and other parts of our country. But they were never found involved in ISI activities. Therefore, such intruders as are found involved in ISI activities—be they Pakistani or Bangladeshi—should be deported to the country of their origin. Further, we should have raised the matter of Chakma people also when we signed the Farakka Treaty with Bangladeshi Prime Minister Sheikh Hasina. We should have told her that Chakmas are not the citizens of India, hence, they should be called back. They are staying in tents in Tripura. We should have told her categorically that lakhs of intruders have sneaked into India and there are two or three lakhs intruders in Delhi alone. I live in Ajmer. There is the tomb of Khwaja Saheb in that city where people go for offering prayer. There also the number of Bangladeshi intruders has gone upto eight to ten thousands. In Bikaner district of Rajasthan, we are catching 50 to 60 or sometime 100 Bangladeshi intruders almost every second or third day in the area bordering Pakistan. How far is Bangladesh from Rajasthan but the intruders are travelling the whole of India and reaching

there in order to go anywhere in Pakistan from that point. Who are the people behind them and who are extending them all possible help, needs to be enquired into immediately. But unfortunately the attention of the Government has not gone towards this problem. Mr. Chairman, Sir, I was talking of IMDT Law which in a way has become controversial because it was framed so deliberately. Indira Gandhi was a very smart politician. At that time, All Assam Students Union and Assam Gana Parishad were launching their agitations. In view of those agitations, she thought to enact such a law or which would kill the snake without a stake. She made a provision in this law that a Tribunal would be set up to decide as to who is an intruder and who not. Alongwith this, she put one more condition according to which if you complain against a person alleging him/her of being a Bangladeshi origin who has intruded in your country then you will be required to prove your allegation before the Tribunal. Now, tell me, how can one prove that he/she is a Bangladeshi intruder because his/her name has been enrolled in the ration card. They also have a few sympathisers here who have got their names enrolled in ration card and voter's list. Now we are demanding that the Government of India should maintain a citizenship register and provide I-cards to the people living at border areas. But they are paying no attention towards that demand. They have merely set-up a Tribunal in the name of IMBT and the result was 'much ado about nothing' which makes me laugh. Under this IMBT law 2,89,767 cases were enquired and only 8,937 people were found as intruders by 30th June, 1995 and out of this number merely 1,305 intruders were ousted from the country. On the one hand we are saying that nearly one crore Bangladeshi intruders have sneaked into our territory and in certain districts of West Bengal and Assam, they are living in majority and on the other hand we are allowing them to live happily. Assam Gana Parishad felt that these people are becoming a vote bank but when Congress feared the power going out of their hand, they held talks with the organizations of minorities and allowed them to live freely. They ensured their vote bank and soon after that their passion to oust those Bangladeshi intruders subsided. They were allowed to live happily and move freely. They were assured that nobody would speak against them. Nothing else can be more henious than the saviour becoming devours. The politician of this country, who have ruled this country so far, have, hatched a conspiracy against the country. Whether any other wrong can be bigger than this? Nothing is bad about that law. Neither its face is bad nor conduct is bad, the problem is that its intention is bad. The eyes of so called secular people, who have joined hands today, are set on the vote bank. They are following the policy of divide and rule and at the same time maintaining a balance so that their seat is safe. Assam Gana Parishad and All Assam Students Union could recognise only a few foreign intruders between 1985 and 1990. Earlier the demand was raised to repeal this law but when Hiteshwar Saikiya of Congress became the Chief Minister of the state with the support of Bangladeshi Muslims, he adopted a casual approach in this matter. Later, Assam Gana Parishad also adopted the same

approach after being elected to power. They also lifted all the restrictions. Sir, one thing I would like to bring to your notice in this respect and that is, the question of repealing the IMBT law has put the United Front Government in the dock. A sword is hanging on its neck whereas its butt is in the hands of Congress. Resultantly they are engaged in a tug of war which has kept everybody, including Devegowdaji and Janata Dal, silent. In addition to this there is threat from Congress that they may withdraw their support in case the law is repealed. Thus, they are playing with the security of the country and encouraging the infiltration of foreign nationals who are intruding and settling themselves down in India. Mr. Chairman, Sir, this Government lacks the required will power to deal with the foreign intruders.

MR. CHAIRMAN: Do you also lack the will power ? Just three minutes before you promised that you are concluding. Will power means the fulfillment of commitment.

PROF. RASA SINGH RAWAT: I, through you, want to draw the attention of this House towards the people who are playing with our national security so that they are aware of the situation. Long back, around 30 to 32 years ago, the Union Government had introduced a scheme, namely, PIF i.e. Prevention of Infiltration of Foreigners and set-up a Mobile Task Force (MTF). Under that Scheme, 3153 soldiers were recruited in Assam. Where are those soldiers today? I want to know about them. Whether they are working as PIF or MTF soldiers? Whether they are identifying the intruders and sending them back to the country of their origin or performing their duties at border? No, they are not doing this job. Today, they are performing their duties either at the bunglows of Ministers in Dispur and Guwahati or in some police station in Assam. The very purpose of setting-up of those forces have been defeated whereas the money was given by the Central Government to set-up those forces. Every state, including West Bengal, Meghalaya and Tripura, got the money from the Centre so that those Forces can be set-up but we have failed to achieve the objectives thereof. Today everybody is alleging that whatever money goes to Bihar, is diverted to other purposes you, yourself, while presenting the report of Auditor General, had said it. The Central Government gave financial assistance to Bihar for setting-up of a force but that force exists nowhere. The soldiers of that Force are deployed as orderly at the places of Ministers and highly positioned officers. Resultantly, we could not provide second defence line to the B.S.F. which was the requirement of B.S.F.

Sir, it is very unfortunate that 3153 soldiers in Assam, 165 soldiers in Bengal, 194 soldiers in Meghalaya, 144 soldiers in Tripura who were recruited into those Forces have been discharged of their duties but, on the other hand, several foreign intruders have sneaked and settled in India whose identification and deportation has become very necessary. If we look at the national level and identification move is launched by our Home Ministry, we will find crores of foreign intruders almost in every state of the country.

[Prof.Rasa Singh Rawat]

The need of the hour, today, is that the Home Ministry should look into the matter seriously. As far as I know, mostly these intruders are settled in Assam, North East States and Kishanganj of Bihar where they are living in majority. Their number have reached to crores in every metropolitan city of the country.

On this important issue and on the occasion of Golden Jubilee year of our independence, I would like to recite the following lines said by Netaji Subhash Chandra Bose—

'Kadam-Kadam Badhaye ja,

Khushi ke Geet Gaya ja,

Ye Jindagi hai kaum ki,

Tu kaum Par Lootaye ja.'

Assam Gana Parishad and our other Colleagues should learn some lessons from these lines if they have got any national feelings in their heart. Our freedom fighters used to raise slogans and sing—

'Sarfaroshi ki Tamanna,

Ab Hamare Dil Mein Hai

Dekhana Hai Jor Kitna

Bajue Katil Mein Hai.'

I would urge upon you people to take some inspiration from these lines and let us join hands to identify these foreign nationals and deport them to the country of their origin. We should take up this task immediately. Mr. Chairman, Sir, I, through you, vehemently request to deport all these foreign national—be they Pakistani or Bangladeshi or LTTE—to their own country.

I also demand to put barbed wire all along the border and assign this job to BSF and other para military forces and also provide them with mobile vans and wireless sets to check the infiltration at our border lines. Besides, a register should be maintained for containing the names of all Indian citizens.

MR. CHAIRMAN: Please, sit down. If you have any more suggestions, please give it in writing.

SHRI CHITTA BASU (BARASAT): Mr. Chairman, Sir, so far as the Resolution moved by my esteemed colleague, Shri Drona, is concerned, it has got two specific and inter-related issues. One is that the Resolution expresses concern over the increasing, as they say, illegal immigrants and he has also specified a particular deadline, that is, 1975. The second aspect of the Resolution is that appropriate and concrete steps should be taken to deport them to the country of their origin. So far as the intention is concerned, I think, there cannot be two opinions. India should be the country of the Indian citizens; India cannot be a country of foreign citizens; India's Government should be the Government of India; India's Government should not be the Government of the United States or of the United

Kigndom. I think, that kind of patriotism and national sensitivity is existing amongst all of us who have been chosen by the people to come here. Therefore, if this is the genuine intention, I think, neither the Government nor any side of the House would object to the basic objectives of the Resolution. But objections are there on certain valid grounds. One valid ground is, it is not as patriotic as it appears to be.

Sir, all that shines is not gold. Therefore, there are other lurking suspicions on this. These lurking suspicions are on the basis of concrete realities; and we have seen these concrete realities in Assam, we have seen these concrete realities in other North-Eastern States, we have been seeing concrete realities in Delhi and we have been seeing them even today in Maharashtra. Even today's newspaper carries a news item that the Government of Maharashtra has started a campaign against all Bangladeshis. Here, nobody knows who are Bangladeshis. Those who speak in Bengali are taken to be Bangladeshis and as such I am also a Bangladeshi. I speak my own mother tongue, Bengali, which I love more than anything else. To speak in Bengali.../(Interruptions)

[Translation]

VAIDYA DAU DAYAL JOSHI: You won't be considered Bangladeshi.

[English]

SHRI CHITTA BASU: To speak in Bengali, to quote a poem in Bengali, is not a crime. I shall lay down my life than to give up my right to speak in Bengali and to understand my Bengali culture. Therefore, the question would have been different had there been this sensitivity among all sections of the people who are raising this demand for deporting those who are illegal immigrants.

I would now take up a concrete situation and this will be clear. So far as Assam is concerned—I do find my very dear friend Dr. Arun Kumar Sarma, who is a well-meaning gentleman—I quite appreciate the position taken by the AGP. But they should also take into account that whatever did take place in the late 80s in Assam, much water has flowed down the River Brahmaputra in politics, in cultural assimilation, in social and economic issues.

The whole point is that this issue of illegal or legal immigrants has stemmed from the ill-conceived suggestion of partitioning the country. I quite agree that realities are realities and they cannot be undone simply by my speech or by my altruistic ideas or philosophical or ideological comments. Pakistan is a reality as India is a reality; Bangladesh is a reality as India is a reality. We cannot deny those realities. I would have been happy had we been able to undo the partition. The partition had been imposed on the people of India.

It is because of, history says, certain political consideration of a group of leaders who were then at the helm of the affairs of the nation. I am not bringing in this point, but the fact is that partition has become a reality. Partition

has given rise to the so-called illegal immigrants. I would like, in particular, to deal with Assam. There is a new demand that IMDT Act of 1983 should be repealed. I only appeal, through you, to the hon. Members to understand what this IMDT is, IMDT only provides a judicial mechanism to identify who are the legal immigrants and who are the illegal immigrants. On the other hand, there are concrete realities in certain parts of the country today. Some group of people go to the police station and submits a list of hundreds and thousands of people or thousands and thousands of people who might belong to the Muslim minority or the linguistic minority and ask the Superintendent of Police to forcibly deport them to the so-called country of their origin, i.e. Bangladesh. Is there no justice? Is there no law? Can there not be a law, can there not be a judicial mechanism, can there not be justice to decide who are the legal citizens and who are the illegal immigrants?

I support IMDT because of the provision of the judicial element. I cannot allow anybody to go to the police station and ask these SPs or any other law enforcing authorities to forcibly deport a section of people belonging to particular community.

MR. CHAIRMAN: Will you please take your seat for a while?

[Translation]

Already one more hour has been allotted than the prescribed time for the purpose but many members have yet to speak and also this is an important matter. So, shall we extend the discussion for one more hour?

(Interruptions)

MR. CHAIRMAN: It's alright. The discussion will be extended for one more hour with the permission of the House.

[English]

SHRI SANAT MEHTA (SURENDRA NAGAR): I would like to know whether the next Resolution will be taken up or not.

MR. CHAIRMAN: First, finish this Resolution. Then, let us go to the next.

SHRI CHITTA BASU: Sir, I will complete my speech within five minutes. I have no time. I have to attend a meeting.

I, with all humility, would request our friends from Assam not to remove that judicial element. Let the Tribunal decide and deport. I have got the figures to show whether it is effective or not. In the year 1991, as many as 2,913 cases were referred to the Tribunal. In 1993, only 349 cases were found to be of illegal immigrants. There are other very alarming figures. Lakhs and lakhs of cases have been referred to the Tribunal. Ultimately, only a few hundred cases were found to be of illegal immigrants. As

a matter of fact, I have decided to participate in this debate to protect the rights of the linguistic minorities and the religious minorities who are being branded as illegal immigrants, although they are citizens of India, although they have been living in India for generations together for the last thirty years or forty years and although they are living in Assam and in other parts of India, like Delhi, Mumbai etc.

But their only fault is that they speak Bangla. They still have not forgotten their Bengali culture or customs. For that, they are being targeted to be removed. I protest against it and I shall say that this should not be permitted in any way.

So far as the comments made by the Prime Minister are concerned, as is reported in the Press, he did not mean to abolish or to repeal the IMDT Act. So far as the hon. Home Minister of this country is concerned, he said that nothing has been decided on that subject. So, IMDT Act remains and it should remain as a judicial forum for the determination of illegal immigrants. I think that there should not be any opposition from that side unless they are communally motivated and unless they have got the hatred campaign against the Muslims of against the Bengalis.

I would make an appeal to the Maharashtra Government, to the Shiv Sena and to the BJP. In Mumbai proper, there are innumerable number of Bengali artisans who are doing ornaments. They are Muslims from Howrah, from Hoogly and from my own District. They are now being issued notices saying that they are not citizens of India. You may please sympathise with me. Thousands of people are coming to me, asking me to give a certificate to the effect that they are Bengalis and that their original place of residence is in my District or in my area. That certificate is to be produced before the Shiv Sena Headquarters or before somebody else. I do not know what respect they will give to this kind of certificates.

As a Member of Parliament, I seek your protection for this. I cannot allow my kith and kin to be treated that way. I cannot allow my own villagers and I cannot allow my own neighbours to be treated that way in Mumbai which is a part of this country. Therefore, I request that this may be taken note of.

So far as the intention of the Mover of this Resolution is concerned, as far as I know, the Government of India is well aware of the situation. In 1992, there was a Conference of all the Chief Ministers of the country. There were certain decisions taken by them regarding this problem. They have also mentioned certain parties which are collaborating with those illegal immigrants. They should be punished. They suggested the introduction of identity cards. The Chief Ministers Conference also suggested further strengthening of the BSF or mobile task force. The Chief Ministers Conference suggested the creation of public awareness with the help of the Media. They have also suggested that the Indo-Bangladesh relations to be improved and they have also suggested that annually at least

[Shri Chitta Basu]

two times the Chief Ministers of the country should meet to monitor the progress.

My complaint against this Government is that they have not taken effective steps to implement them. For my friends in Assam, I would say with all humility—as you have already pointed out—that the problem of Assam is not the problem of illegal immigrants. The problem of Assam is the problem of its backwardness—economic, industrial and agricultural. I am in complete agreement with him. I am prepared to fight side by side with them, when they fight against the discriminatory policy of the Government of India, so far as development is concerned. I will be with them in the streets, I will be with them in the prison, I will be with them in this Parliament, I will be with them at any place and at any forum to fight for the genuine cause of the development of Assam, for the development of the North-East Asia. My dear friends should realise that the problem of Assam is because of its backwardness and not because of Muslim or Bengali infiltration.

Assam's problem is that you refuse to accept the reality that Assam should be based on pluralism. Assam's language, culture, population and way of life is based on pluralism. If you deny that pluralism, it means that you deny your own culture and your own right to be a part of the main stream of Indian politics. So far as myself and my party are concerned, we should all remain together to defend the unity and integrity of this country and India should be free from non-citizens. Everybody should have the chance to live in India with peace, honour and dignity.

Therefore, in this background, I cannot agree for the adoption of this Resolution because the main principle has already been taken into account and rather, I will urge upon the Government to implement their decisions of the Chief Minister's Conference held in 1992.

SHRI ANADI CHARAN SAHU (CUTTACK): Mr. Chairman, I am grateful to you for the opportunity offered to speak on this Resolution. I am slightly bemused by the bench-mark provided by Mr. Drona, the hon. Member. The bench-mark is 1975. Perhaps, he has in mind the post assassination period of Bangabandhu Sheikh Mujibur Rehman in Bangladesh and the resultant unrest in that country. In this context, I would like to deal with the term 'exodus'.

16.57 hrs.

(PROF. RITA VERMA in the Chair)

Exodus takes place in case of any oppressive, economic, social, political or religious compulsions and exodus invariably leads to immigration. Immigration could be legal or illegal, depending on the attitude of the Government of the State or the country to which the immigrants go. It is a matter of contention; it is a matter of fact as to what the country thinks at that particular moment of time. That is why lot of laws have been framed from time to time, as Shri Chitta Basu was telling about the laws framed and

Mr. Rawat was also telling so. Therefore, from a particular situation one has to think as to what should be the law at that particular moment of time. All these laws relating to foreigners stemmed from the basic Foreigners Act. The Foreigners Act provides that in case of any person coming into the country, the prosecution cannot be taken up without the sanction of the Central Government and in many cases, the Central Government has given the powers to the State Governments, meaning thereby, that it is not necessary to prosecute every person who has immigrated to the country. It may so happen that a country to which they have come, may have been large-hearted enough. You may kindly see the Upanishadic sloka which is there is front of the Central Hall.

"Ayam Nijah: Paroveti, Gan-naam Laghuchestam,  
Uddar Charitananu:, Vasudhaiv Kutumbakam"

The entire world is my own house and family. If you think like that, then there is no question of prosecuting anyone. If the country, if the State Government of that day thinks that there is no necessity to prosecute anyone, well, there is no question of prosecuting. Broad-hearted people always think that all should be one. In this context, of course, I would slightly digress.

[Translation]

VAIDYA DAU DAYAL JOSHI: Other people should also have the feeling that the entire world is my own house and family. But these people are coming to rob the country.

[English]

SHRI ANADI CHARAN SAHU: Madam, please allow me to continue. I would like to request you to kindly go through the famous novel written by Shrimati Haider.

17.00 hrs.

Shrimati Haider is a famous Urdu novelist. Her novel, 'The Burnig Fire', got the Janapith Award. She has treated on a very simple subject. That simple subject is known to everybody in India. That is transmigration of the soul 'Punjanam'. She had started during the Buddhist period when Buddha was preaching Buddhism in India. A Brahmin boy went to Taxila for better learning. In those days, the best university was at Taxila.

AN HON. MEMBER: It was Nalanda.

SHRI ANADI CHARAN SAHU: No. Nalanda came later. After getting his education, he came back to Varanasi. But he was enchanted by Buddhism, the preachings of Buddha, and embraced Buddhism. Later on, during the Muslim period, the same soul took birth—it is a transmigration of soul—and embraced Islam. But he was an Indian. I will not tell the other things because it will be a very lengthy story. Let us go back to 1946. That youngman of 18 same transmigration of the soul—decided to go to Oxford for pursuing higher studies. While he was pursuing higher studies in 1947, the partition came. In 1949, he had completed his studies. He came to Pakistan. But he could

not stay in Pakistan. He had to come back to Uttar Pradesh because he said, "My soul is here. I belong to this country. The geographical boundary that comes later is immaterial for me. I am bound culturally, ethically, by everything, to this country." He came back. That is a very famous novel. Kindly go through that novel.

I fully agree with the apprehensions of hon. Member, Dr. Arun Kumar Sarma, from the North-East. It is a fact that large-scale immigration disturbs the ethnic composition, be that religious, economic political or whatever it is. That is the apprehension which comes to mind. In 1975-80, I was Superintendent of Police, Cuttack. I had noticed that many Bangladeshis were being brought by the people of Cuttack for committing dacoities because arms were available in plenty. Many people from Bangladesh, because of shortage of food, were coming in dinghies. A 'dinghy' is a type of a boat which is very sharp at the bottom and it can come through the sea and go through the creeks into the deep interiors. They were coming by creeks and they were taking rice from Cuttack and Balasore areas of Orissa to the East Coast. Some of them settled down. And they are now prosperous people. Some of them went back when the situation became normal in Bangladesh. Some of them, who were born as Brahmins in Bangladesh, came away to Dandakaranaya. You will be amused to find that they became Namasudras and they are staying there taking all the benefits of being Schedule Castes. It is quite good. I being an atheist, I was quite amused to find that people change their religion and their caste in order to get some economic advantage out of the situation that is prevailing in the area.

What I wanted to say is that we should not think in a narrow way as to what it means by 'illegal immigration'. It should be left to the people to decide as to what action is to be taken. A resolution should be absolutely broad-based. If a resolution is taken up with a sinister motive, it is very bad. As hon. Member, Shri Chitta Basu has said, if there is any motive behind the resolution, if only a particular group of people are to be attacked, I think, no resolution of that sort should be taken into account. Let us think in that light. It is better to identify the people who have come into the country. But it should be a separate matter to deport them. We are thinking of dual nationality. There are many countries which give work permits also for people to go out and work and all that thing. And if there is any oppression in other neighbouring places, as I said earlier, be that religious, economic, political or social, people are bound to come to our country, and we must accept them.

We must be prepared to accept these type of people who come. Otherwise, what is the use of being the citizens of such a big country, such a country with broad-hearted people? Take stock of the situation, identify them and later on, in case of necessity you could prosecute them; you could deport them; or you could even allow them to continue to stay. I have seen two lakhs of people staying in Baleswar and Cuttack districts of Orissa and they have settled down there. There is no necessity now to rake up

this issue in that area. I do not know about other areas. I do not like to dilate on that. But there is no necessity to rake up that point now.

Now, as I said, I support the Resolution moved by Shri Jagat Vir Singh Drona in part. First there should be identification. But, at the same time, let us think about it. Deporting them is a complicated issue as to when to deport, why to deport and how to deport.

**SHRI JAGAT VIR SINGH DRONA:** You are advocating the diagnosis of the disease, not the treatment.

**SHRI ANADI CHARAN SAHU:** It is not a question of treatment. I would come to that later on. I always feel that we should see the world in a grain of sand, the heaven in the wind flower and behold eternity in the palm of a hand. That is what I feel. I am not questioning anything of. You see, a grain could also be a replica of the world. People who have come are also Indians. They were Indians before 1947 also. Why not we accept that in a way? I fully agree with what has been mentioned by him. If there is a disturbance—I do not say religious disturbance because no religion is important and no religion is permanent. Any religious *messiah* or any religious prophet has been a rebel against an established order of that particular day, of that particular age or of that particular period. Once that particular age, that particular period or that particular situation goes, that *messiah* becomes redundant. I am not talking of any one religion, I am talking of all religions. Again, I am saying that I am an atheist and I am not trying to hurt anyone's feelings. Religion is not permanent. It may so happen that one more religion may come one day; some prophet may come and he may propagate another religion and those people belonging to other religions may combine together to form a new religion. So, we should not think of religion as a permanent solution for human problems. We should think of economic problems as the permanent thing on which we should work. That is why I say that there should not be any sinister design in this resolution.

In my humble opinion, identification should be done but the identified persons should not be deported now. Later on, things could improve; the situation may improve and the Government might take a separate view and a separate decision on this.

What has happened in the North-East? It requires a little economic package. Give more money; educate the people; let them stay. There are many other people who have come to India. The Tibetans, the Nepalese, the Bhutanese, the Sikkimese and so many other people have come to India. Even the Sinhalese have come. The Sinhalese had come coming to India from one thousand fifteen years and they have stayed in Orissa. The people from Orissa have also gone to Ceylon and stayed there. What has happened? A composit of culture has emerged. There is nothing wrong in it. People should come and go. The only thing, as has been pointed out by somebody, is that it might lead to subversion. From my experience in the Police Department I could say that if I want to engage an agent of committing subversion I would not engage a

[Shri Anadi Charan Sahu]

foreigner, I would engage my own people—other than engaging a man from outside and commit mischief in my own country—because that is easier to handle. So, subversion is not the question. It is a state of mind for a person. It is not for any religion, it is only for economic considerations, that is, getting more money and doing the work. Tomorrow he might be working for somebody else. That is why I say, again I repeat and I conclude, identify, but do not deport. All the laws that have been framed are not permanent and should not be permanent.

\*SHRI K. PARASURAMAN (CHENGALPATTU): Madam Chairperson, I thank you for giving me an opportunity to participate in the discussion on a resolution about immigration moved by Sh. Drona.

MR. CHAIRMAN: Maintain some order in the House.

SHRI K. PARASURAMAN: We find today in three different regions of the country namely North-East Region, North-West Region and Southern Region the issue of the entry of Intruders, Immigrants and Refugees. Many people have thus migrated and settled down in several places. This is not a new phenomenon. This has been there from 1948 or even 1947, as a fall out of Navakali Massacre. During the time when Mahatma Gandhiji was there we had to face this immigration and influx of refugees. Lakhs of people from Pakistan came and settled down in several parts of India including Tamil Nadu. Most of them have been accepted as the citizens of the country. They have settled down and got properties too. Thus all those who have moved out have settled down in their respective countries.

The influx of Chakmas in lakhs in the North-East Region and the arrival of Bangladeshis in the adjoining states are a result of migration of people from across the border. They have settled down in places akin to their culture and traditions. Likewise lot of people of Pakistan have come and settled down in Jammu-Kashmir region.

Similarly in South India, we find the influx of immigrants from Sri Lanka who have now settled down in Kerala, Andhra Pradesh, Karnataka and Tamil Nadu. They are all our people and their descendants who migrated from all these states long back to what is now known as Sri Lanka. Now it is return-back migration and one by one they have come back and settle down here.

This kind of Inland migration and across-the-border migration is not a new phenomenon. People from the neighbouring areas always move over to earn their livelihood in the nearby better pastures. As was pointed out by one of our friends here it would be incorrect to say that they should not be allowed to move and around and live here to earn their livelihood. After all they come in only to earn a livelihood in the absence of any means or any other go in their own places.

In Tamil there is a saying, "YAADUM OORE YAVARUM

KELIR" i.e. 'The whole world is a global village and all of us interrelated like relatives in a big family.' We believe in that philosophy. So we cannot take all those immigrants to be our enemies or bad people. We cannot condemn outright all the Sri Lankan Tamils as bad people.

In 1989-90, when our DMK was in power the migrated Sri Lankan Tamils who came to Tamil Nadu were all screened and segregated from one another. The DMK Government took efforts to find out genuine refugees and kept at bay those who were identified to be otherwise. Those who were suspected to be intruders and infiltrators were barred and put in prison cells as per our Laws. After that during the time when Governor's Rule was there, as it appears to be so the furtherance of possible infiltrators were not properly checked. This alone might have resulted in the assassination of late Shri Rajiv Gandhi. This is known to all of us. Our Central Government has got various agencies to check the possible infiltrators from among the immigrants.

In 1991, the DMK Government was dismissed. It is only after that i.e. during the Governor's rule the possible infiltrators and intruders might have entered. We all feel that alone had resulted in the assassination of Shri Rajiv Gandhi, The former Prime Minister and the Jain Commission Enquiry is still going on. ...*(Interruptions)*

*[Translation]*

VIADYA DAU DAYAL JOSHI: Call all of them into this House.

MR. CHAIRMAN: Please, listen to me. A bit of pulling and hauling is O.K. but why are you interrupting him? A bit of pulling and hauling keeps the debate alive. But don't shout like this which will make difficult for listen him.

*(Interruption)*

*[English]*

SHRI K. PARASURAMAN: It is only after 1991, that is when AIADMK came to power led by Ms. Jayalalitha, there were incidents of fleeing away from prison cells by the intruders who were put behind bars by the earlier DMK regime. In between 1991 and 1996 there were about eight incidents of escaping from the confinement. About eighty people have escaped from the prison cells. All these things happened only during the AIADMK regime. The Union Government has got various agencies like IB, RAW etc. It is their duty to identify the good and the bad from those who have moved in to our land. Such identification done by the appropriate agencies should result in checking intruders and initiating proper action. In the meantime genuine, hapless refugees and migrants should be given all possible help on humanitarian grounds. Bad elements may be deported and innocent people can be allowed to continue in our country.

Let me conclude my speech by opposing this motion.

\*Translation of the speech originally delivered in Tamil.

## [Translation]

SHRI SATYA PAL JAIN (CHANDIGARH): Madam Chairperson, I have listened to the discussions held on this resolution during the last few days and today as well. First, I would like to read the text of the resolution for the information of the House.

"This House expresses its grave concern over the large scale illegal immigration into the country since 1975 and recommends that concrete steps be taken to identify all those illegal immigrants and deport them to the country of their origin."

I am unable to understand as to what is objectionable in this resolution which any person, who has faith in the Constitution of the country can oppose it. It is greatness of Dronaji that he has used '1975' in his resolution. If he would have written 1947 or any date starting from the next day of formation of the Constitution, instead of 1975 even then I think no citizen of India can oppose this resolution.

Madam Chairperson, when we take oath, we affirm to protect and to be loyal/determined towards the constitution. I would like to read two articles of the Constitution before going into this resolution. This Constitution had been accepted by the people of the country. Article 5 of the Constitution describes the features of citizenship.

## [English]

"every person who has his domicile in the territory of India and—

- (a) who has born in the territory of India; or
- (b) either of whose parents was born in the territory of India; or
- (c) who has been ordinarily resident in the territory of India for not less than five years immediately preceding such commencement."

## [Translation]

Those who were residing in the country till 1947 or either of whose parents was born in the territory of India or who was born in the Territory of India shall be the citizens of India. I am very sad to say that some of the gentleman from Congress were saying—there was a time when we used to be one, we have been divided. Set those people come here and these people go there. There is a difference between a Nation and a guest house. One can stay and leave the guest house whenever he wants. A Nation do not come into existence on the basis of ancient history only. Law of citizenship is not based upon emotional bondage. The system runs in accordance with the law of the country. Therefore, article 7 of the Constitution says:

## [English]

"Not with standing anything in articles 5 and 6, a person who has after the first day of March, 1947, migrated from

the territory of India to the territory now included in Pakistan shall not be deemed to be a citizen of India."

## [Translation]

Those people who have after the first day of March, 1947, migrated from the territory of India shall not be deemed to be a citizen of India. I am not saying this. It is written in the constitution. Even then, these people from Congress, who have ruled the country for 50 years, say that some people have come back to the country 20-30 years back and once upon a time we were culturally one. But Partition took place and constitution of India has been formed.

## [English]

We the people of India mean, we the citizens of India. We the people of India does not mean any person whose parents or forefathers resided in India some 50 or 60 years ago...*(Interruptions)*

## [Translation]

Today, this is not the question. It is not wise to say that they come and go, our law is not stringent and these people shall be deemed to be a citizen of the country. Those members, who are supporting the arguments of this Government are indirectly opposing the Constitution of India. This people, at one hand take oath that they will protect the constitution of India but on the other hand they oppose the same.

## [English]

SHRI SONTOSH MOHAN DEV: I appreciate his enthusiasm. He does not know anything. You go through the Indira-Mujib pact, you go through the Indira-Liyaquat Ali Pact. And you go through the Assam Accord. Section 32 says that those who have come to Assam after 1st March, 1971, after this Pact, will be treated as Indian Citizens. This was done by this Parliament ...*(Interruptions)*

SHRI SATYA PAL JAIN: I have not finished yet. Why are you getting so upset? ...*(Interruptions)*

MR. CHAIRMAN: You can speak when your time comes.

*(Interruptions)*

SHRI SONTOSH MOHAN DEV: You are naming Congress, that is why, I am replying ...*(Interruptions)*

SHRI SATYA PAL JAIN: Your people said it ...*(Interruptions)*

SHRI SONTOSH MOHAN DEV: You go to Assam and say that all Muslims go out and all Hindus stay. This is communalism. ...*(Interruptions)*

## [Translation]

PROF. RASA SINGH RAWAT (AJMER): This is not a question of Hindu, Muslim. Bangladeshis have come here.

[English]

MR. CHAIRMAN: Hon. Members, please sit down.

(Interruptions)

MR. CHAIRMAN: I am on my legs.

(Interruptions)

MR. CHAIRMAN: Mr. Sontosh Mohan Dev, you speak when your turn comes.

(Interruptions)

SHRI SONTOSH MOHAN DEV: No, Madam. When a party is named and repeatedly named without any reason or rhyme, I have got the right to take your permission and speak.

MR. CHAIRMAN: I will give you time.

(Interruptions)

MR. CHAIRMAN: You can reply in your time.

SHRI SONTOSH MOHAN DEV: I have asked for the permission. What is this? Everybody sitting in the Chair only rebuke the Members. Enough is enough. ... (Interruptions)

MR. CHAIRMAN: Please sit down.

SHRI SONTOSH MOHAN DEV: No, Madam, this is not the way.

MR. CHAIRMAN: Please sit down. Maintain some decorum.

SHRI SURESH PRABHU: This is highly insulting. ... (Interruptions) It is with her permission that I have spoken, not without her permission. ... (Interruptions)

MR. CHAIRMAN: Mr. Dev, you are a very senior Member. You have spoken without my permission.

SHRI SONTOSH MOHAN DEV: Then, I beg my unconditional apology. ... (Interruptions)

MR. CHAIRMAN: Then, it is all right. You have not asked for permission and I have not given you any permission. You are a very senior Member.

SHRI SONTOSH MOHAN DEV: If you have not given permission, then I beg my unconditional apology.

MR. CHAIRMAN: You are a very senior Member, you set precedent for the junior Members. Is this how you behave?

(Interruptions)

SHRI SRIBALLAV PANIGRAHI: Kindly recall, Madam, he is our Chief Whip. He is a senior Member... (Interruptions)

MR. CHAIRMAN: That is all right.

(Interruptions)

MR. CHAIRMAN: But he should not shout at the Chair.

(Interruptions)

[Translation]

SHRI SRIBALLAV PANIGRAHI: Madam Chairperson, when any senior member or leader intervenes, they do so to convince.

MR. CHAIRMAN: It's allright. But Everyone should conduct properly.

(Interruptions)

[English]

MR. CHAIRMAN: This is over. Let us continue with the business.

SHRI SONTOSH MOHAN DEV: If Shri Atal Bihari Vajpayee can intervene, as a leader of a party, I should have got the chance to intervene. ... (Interruptions)

MR. CHAIRMAN: You did not even ask for it.

SHRI SONTOSH MOHAN DEV: I also represent 140 Members.

MR. CHAIRMAN: You even did not ask for it. How can I give? How could I give permission? Please Maintain some decorum in the House.

(Interruptions)

[Translation]

MR. CHAIRMAN: This is a small thing. You take your own time and put your views to your utmost satisfaction. I don't mind it but let the Business of the House go on.

SHRI SATYA PAL JAIN: Madam Chairperson, Shri Dev is my Senior Member. I respect all the members. He made a mention of Atalji. I have high regard for Shri Atalji nevertheless I respect you also. Whenever we talk in this House, Our matters and views differs because we have different Ideology. If I have said something which you do not like then you can express yourself when the time comes. If you do not like anything then there is no use for holding discussions in the House. You are my Senior member so, you please give me opportunity to speak. When your turn comes, you can say what you want I never say that I know everything. I am a new, a junior member, and a lawyer. I want to learn from you and I wish that you should teach me.

Madam Chairperson, it is very sad and unfortunate that a Member of Parliament has to bring in a resolution in this House after 50 years of Independence to the effect that the people who have entered into the country after 1975 are not the citizens of the country they are foreign infiltrators and they shall be repatriated. The present Government and the party supporting it or opposing it and that too without any reasons there is no more unfortunate thing than this. I have listened to the speech of the members. They said that some people come to their

constituency and plead that they are facing difficulties. If they are facing difficulties, then whether the country will have to change the law. In a murder case, 50 persons are arrested, they are put under trial. Out of them 5 are convicted and the remaining 45 escaped the punishment. Then, whether the remaining 45 people should ask to repeal I.P.C. because they have been harassed? Under section 107.(S) of the IPC people are arrested in the cities and they have to undergo trial. Then whether that law should be repealed? If the MPs have to pass through Security checkup while entering the Parliament, then whether the Security check up should be withdrawn? The question is whether we want to permit the foreign infiltrators to stay or we want them to repatriate. It is said that the whole world was one and united. I want to give an example.

In the other parts of the world, they are very strict. Even when the juror and Head of the/surparch have to visit abroad, they face a lot of difficulties in securing visa. You might have read that 200-300 of youth from Punjab who were being carried illegally to other countries were made to sit in a boat after they were driven out of ship in the mid seas and were killed by drowning. Other countries do not allow the entry of illegal immigrants. But in our country their case is being advocated by saying that they should be allowed to remain here.

The number of infiltrators in our country is on increase. They are staying not only in the North-East but in Delhi, Mumbai and Now in my own constituency—Chandigarh and their numbers are increasing. If the Voters-list is checked, we may be surprised. By reading the name itself we will find that they do not belong to our country. The people speaking Bengali language are the Citizen of the country.

No one objects if any person speaks Bengali, Urdu, Hindi or Punjabi but if a foreign speaks the language spoken by the countrymen then it does not mean that the person speaking our language is a citizen of our country. We have people speaking in Bengali and urdu in our country. So also there are such people in Pakistan also. Similarly Pakistan may be having people speaking Punjabi and Hindi. If a Pakistani who can speak chaste Hindi, Urdu and Punjabi pleads that he should be treated citizen of India irrespective of being a foreigner, this argument has no force at all. The question is that whether they have a right to stay in India.

Madam Chairperson, staying of such infiltrators in the country creates a numbers of problems. The first problem is economic problem. When these people infiltrates into the country they work at less wages in order to get shelter. They take shelter some where or else illegally as a result economic crisis arises. Many people among the rickshaw pullers, trolley men and people working on daily wages secure employment through under hand means and creates the employment problem. The other probles relates to population. The whole country is worried about increase in population. The whole country wants a check in increase in population. But most of these people believe in polygamy which is a major cause of population increase and the

increase in population is a major cause for the problems arising in the country. 25000 patients have to take shelter in the hospital meant for 5000 patients. Similarly, 2500 children study in a school, constructed for a 500 students and 8000 students study in the college constructed for 1000 students. In fact, the problem is arising and the rate of crime is also increasing because of these people. In North-East regions, where their population is more, the terrorists activities are on increase and if the intelligence report is studied thoroughly, we would come to know that these people take shelter through under hand means with vested interests for their survival. It poses a grave threat to the security of the country. These people do not have loyalty and commitment towards our country. Some where in their mind/heart, they may have some reserved feelings towards their country. If they are not identified and deported back in time then such a person can create a problem for the country after holding any vital post. I think you have talked about many pacts and agreements. I don't want to go into their details. I do not claim that I have all the information but I can satisfy Mr. Sontosh Mohan Dev but today this is not the question. He has referred to the foreigners who came to this country after 1975. You please tell me, which law of the country says that those foreigners who have come into this country after 1975, will not be considered as foreigners and they will be deported. If an agreement or an Act is in violation of the provisions/articles of our constitution then such an Act or agreement will be invalid.

No single Act can violate the provisions/articles of the constitution.

#### [English]

If it is in violation of the provisions of the Constitution of India, then the Act will be invalid, it will not be operative.

With ail these arguments, I thank you for giving me time and I conclude my speech.

#### [Translation]

MR. CHAIRMAN: Four hours has been allotted for discussions. At 5.48 pm. the time i.e. 4 hrs. will be over. What's the opinion of the House in this regard. Shall we extend it?

SHRI JAGAT VIR SINGH DRONA: Let the time be extended and such members may be allowed to speak whose names are in the list.

#### [English]

SHRI SONTOSH MOHAN DEV: Madam, we object to this. I do not allow this time to be increased. I have objections to that from my party. ...*(Interruptions)*

#### [Translation]

MR. CHAIRMAN: What's the opinion of the rest of the House?

SHRI SATYA PAL JAIN: The time should be increased. Discussion should be held on this matter. Many people are ready to speak on this subject.

SHRI JAGAT VIR SINGH DRONA: Names of those who want to speak are given. This is a question of national importance, I don't know why Shri Sontosh Mohan Dev is speaking the other way.

[English]

SHRI SONTOSH MOHAN DEV: We should be allowed to speak. ...(*Interruptions*)

SHRI JAGAT VIR SINGH DRONA: Shri Sontosh Mohan Dev, you will be allowed to speak. ...(*Interruptions*)

SHRI SONTOSH MOHAN DEV: Your Chairman has said that I will not be allowed to speak. ...(*Interruptions*)

SHRI SATYA PAL JAIN: Do not say 'Your Chairman'. She is our Chairperson. ...(*Interruptions*)

SHRI SONTOSH MOHAN DEV: Then, she should invite me to answer. I have got the right to answer. ...(*Interruptions*)

SHRI JAGAT VIR SINGH DRONA: That is not the way. She is our Chairperson. She has very clearly said that if you want to speak, you must seek permission and then you would be allowed to do so. She has very clearly said that. ...(*Interruptions*)

SHRI SONTOSH MOHAN DEV: This is not the protocol. I am a Member from 1980. This is not the protocol. ...(*Interruptions*)

SHRI JAGAT VIR SINGH DRONA: She has very clearly said this. I still remember it correctly and it must be a part of the proceedings also. You kindly check it up. She has said that you are a very senior Member and if you seek permission, then you would be allowed to speak. ...(*Interruptions*)

MR. CHAIRMAN: Shri Sontosh Mohan Dev, you should set an example to other Members.

(*Interruptions*)

[Translation]

SHRI SATYA PAL JAIN: You are talking more than others and even then you are complaining that you are not being allowed to speak.

[English]

SRI SONTOSH MOHAN DEV: Madam, it is the convention of the House that if any particular party is mentioned, the onus is to give an answer. If I would have participated in the discussion, then I would not have intervened.

[Translation]

MR. CHAIRMAN: Let us leave this matter.

[English]

SHRI SONTOSH MOHAN DEV: Madam, have I got the right to submit before you?

MR. CHAIRMAN: Yes.

SHRI SONTOSH MOHAN DEV: I stood up and wanted to say something. I thought that you had given me the permission. When you have not given me the permission, then I said, 'I beg unconditional apology' because I should not speak without your permission. That I admit as a Member of this House.

Now that the hon. Member has spoken something, I have a right to reply. Personally I am not against this Bill. When he says '1975', I also support it. But when he says that constitutional provisions have not been complied with, I just wanted to point out to him some historical facts. He is right that in 1980 when the IMDT Act came, the same question was raised in this House. If you go through the IMDT Act, it says that the provisions of Liayaqat Ali package was also nullified after that. All these things have been taken care of. This is what I wanted to point out. He said: 'This is unconstitutional'. I said: 'No, the constitutional provisions have been taken care of'. ...(*Interruptions*) He said that all of us are violating our oath. That is what he has said. I wanted to say only that that we have not violated our oath. Probably, the hon. Member does not know the background of the other Bills. That is why, he has said that. Our Party is not against this when he says 'after 1975' because the fact is 1971. I am not disputing that. If there is an Act in respect of any foreigner coming after 1975, then we will support it. We are not against that. He has said that all of us have violated our oath and it is going into the records of the House. ...(*Interruptions*)

SHRI JAGAT VIR SINGH DRONA: He never said that. ...(*Interruptions*)

SHRI SATYA PAL JAIN: Mr. Chairman, let me clarify it. ...(*Interruptions*)

[Translation]

SHRI RAJENDRA AGNIHOTRI (JHANSI): You check the record please. He has said nothing like that.

[English]

SHRI SONTOSH MOHAN DEV: Let him say that. ...(*Interruptions*)

[Translation]

VAIDYA DAU DAYAL JOSHI: You can't oppose this Bill, since Deve Gowdaji had said to repeal/withdraw the legislation formed under this Bill and protesting this a delegation under the leadership of Shri Tarun Gagoi had come to express their anger.

[English]

MR. CHAIRMAN: Shri Sontosh Mohan Dev, I heard your submission. If you have spoken in such a tenor, there

would not have arisen any problem. You were shouting at the Chair, to which I objected to and I have every right to object to that. You must offer your submission with due respect to the Chair. You are a very senior Member. You should set an example to the other Members. You cannot shout at the Chair. Anyway let us get on.

SHRI G.M. BANATWALLA: Madam, are you reprimanding the hon. Member?

MR. CHAIRMAN: I am not. I am just explaining the case.

(Interruptions)

SHRI JAGAT VIR SINGH DRONA: We should extend the time. He also wants to take part in the debate. He is supporting the Resolution.

MR. CHAIRMAN: What does the Government say to that ?

SHRI SONTOSH MOHAN DEV: After the remarks of the hon. Chairman that there is an indiscipline Member, I am saying that I protest it. I do not want any time to speak. You put it to vote.

[Translation]

MR. CHAIRMAN: Why do you start talking among yourself. What is the Government's intention?

[English]

SHRI JAGAT VIR SINGH DRONA: This is not Government's business. Rather it is a Private Member's Resolution.

[Translation]

MR. CHAIRMAN: It's alright. As per the wish of the House, I will extend one hour time for discussion on this resolution.

[English]

SHRI SONTOSH MOHAN DEV: It will not be lapsed. It will be taken to the next week.

SHRI JAGAT VIR SINGH DRONA: Still 25 minutes' time is left.

SHRI SONTOSH MOHAN DEV: You can extend the time but not today. You extend four hours even; I do not mind.

[Translation]

MR. CHAIRMAN: It's alright. One hour's time is allotted for discussion on illegal migrants resolution.

[English]

SHRI JAGAT VIR SINGH DRONA: I need 10 seconds to clarify a point.

[Translation]

MR. CHAIRMAN: One hour has been extented for discussions on this resolution. Today's sitting will last upto 6.00 pm.

[English]

SHRI JAGAT VIR SINGH DRONA: The pervious speaker, Shri Satya Pal Jain, has said something and probably that offended the feelings of the hon. Members. ...(Interruptions)

MR. CHAIRMAN: If everybody speaks like this, I cannot manage.

[Translation]

You please sit down. I have allowed next speaker.

[English]

SHRI JAGAT VIR SINGH DRONA: I thought that you had given me permission to speak.

[Translation]

MR. CHAIRMAN: It's O.K. what is over is over.

[English]

SHRI JAGAT VIR SINGH DRONA: It has come on record. He has never said that 'you people do not believe in Constitution'. He has never said that. He said, 'we have all taken oath of the Constitution and nobody can oppose this.' That is what he said.

MR. CHAIRMAN: We shall go through the records and decide.

[Translation]

SHRI JAGAT VIR SINGH DRONA: Any body can put the record straight.

[English]

MR. CHAIRMAN: Shri Pradip Bhattacharya—Absent.

Shri Banatwala.

[Translation]

You please let the next hon. Speaker give his speech.

[English]

SHRI G.M. BANATWALLA (PONNANI): Madam Chairperson, it is very kind... (Interruptions)

SHRI SONTOSH MOHAN DEV: In that case, I accept your ruling. But it shuld be a precedent. In future, if a Member objects and the Speaker in Private Members' Business, or the Chairman in the Chair, says that it should be extended by one hour, then that is mandatory.

MR. CHAIRMAN: This is with the consent of the House.

SHRI SONTOSH MOHAN DEV: No, I am also a Member of the House. My consent is not there. Either you have to go for vote or you have to go by the consensus.

[Translation]

MR. CHAIRMAN: It's alright. If you really want this they tell me that how many Members favour extension of one hour for holding discussions on this resolution.

SHRI G.M. BANATWALA: I am on my legs to speak with your permission, you have already allowed me to speak, now why are you changing your orders?

MR. CHAIRMAN: Sir, Mr. Banatwalla, I have given permission to you, but other hon. members are objecting to it. I want that you must speak.

SHRI SATYA DEO SINGH: Just now, You have given a ruling that one hour time is being allotted additionally for holding discussions on this resolution. This doesn't implies for today's sitting. That means you have extended the time for the next sitting, when this matters will be taken. Then what's your objection to this?

[English]

SHRI SONTOSH MOHAN DEV: That I have accepted.

[Translation]

MR. CHAIRMAN: Mr. Sontosh, I am also telling the same thing. May be, you could not pay attention. You all opine that one hour time shall be allotted additionally for discussions on this resolution, not for today, but for the next sitting, when the resolution is taken for discussion.

[English]

SHRI G.M. BANATWALLA: Madam, Chairperson, it is very kind of the hon. Member, Shri Jagat Vir Singh Drona, to have raised this question of illegal migrants or infiltration in the country. The Motion moved by him tries to express grave concern over the so-called large scale illegal migrants in the country. It, then, recommends identification and deporting of these illegal migrants to their country of origin.

There are several disturbing aspects of the so-called question of infiltration in our country mentioned in the Motion before the House.

In the first place, I have to say that there are repeated concentrated attempts to paint an unwarranted alarming picture on this question of infiltration of illegal migrants. A bogie is sought to be created that there is a large scale illegal migration into our country as if to say that it is not a migration into the country but almost an invasion on the country by the illegal emigrants under the most incompetent and inefficient Government that cannot control the borders of our country. This, I must say, is an unfortunate political propaganda well-orchestrated for political reasons.

[Translation]

VAIDYA DAU DAYAL JOSHI: Aren't these people in

India ? Entire Rajasthan Border is full of Bangladeshis.

DR. SHAFIQU RAHMAN BARQ: There is a political propaganda behind this.

VAIDYA DAU DAYAL JOSHI: Recently *heroine* worth Rs. 35. crores has been seized. The entire border of Rajasthan is full of Bangladeshis.

[English]

SHRI G.M. BANATWALLA: Here in this House itself we are being given all sorts of figures. Some hon. Members come out and say that there are lakhs of people who are illegal emigrants. Others have taken the figure right up to one and a half crores. They themselves do not know what is the extent of illegal migration to the country. Simply, for political benefits they go on giving all sorts of figures. That is the first thing that must be known. I must emphasise that in the process of detection of the so-called emigrants genuine citizens of the country must not be harassed and made victims of untold sufferings.

In Assam, for example, as a result of the political agitation this House enacted a legislation called the Illegal Migrants (Determination by Tribunals) Act, 1993. Under the Act lakhs and lakhs of cases were referred to the tribunals. Lakhs of references were made. Lakhs of people were accused of being illegal emigrants over there. This was a judicial forum. It went into those complaints. And then an overwhelming majority of those complaints were found frivolous and hardly a few hundreds were taken and were decided as illegal emigrants by this judicial forum over there. But irrespective of all this, the orchestrated propaganda goes on and a bogie—as I said—is sought to be created for political benefits.

The point that I am making is extremely clear. Let us look at some of the figures that were given to us in the reply to the Unstarred Question No. 2376 dated 17th August, 1995 by the then Home Minister.

And here we are given the number of immigration cases. Several States are mentioned and the number of immigration cases are given for the year 1993, 1994 and 1995. In Jammu and Kashmir, there were 77 migrants in 1993, 264 in 1994 and 154 in 1995. In Punjab, there were 68 migrants in 1993, 54 in 1994 and 36 in 1995. In Rajasthan, there were 208 migrants in 1993, 196 in 1994 and 107 in 1995. In Gujarat, there were 9 migrants in 1993, 12 in 1994 and 6 in 1995. In West Bengal, there were 1713 migrants in 1993, 1954 in 1994 and 863 in 1995; In Assam, there were 113 migrants in 1993, 77 in 1994 and 53 in 1995; In Meghalaya, there were 213 migrants in 1993, 192 in 1994 and 37 in 1995; In Mizoram, there were 2 migrants in 1993, 2 in 1994 and 3 in 1995; and in Tripura, there were 370 migrants in 1993, 299 in 1994 and 76 in 1995.

I am giving the official figures given to us here in the House in reply to an Unstarred Question and nobody had the guts to come forward with the privilege motion against the then Home Minister.

Madam, this is only for political benefits. Then, in the name and in the pretext of identification of the so-called foreigners and infiltrators and illegal migrants, untold hardships are inflicted upon the innocent victims, genuine citizens, particularly to those belonging to the minority community. We all know as to what has happened in various parts of the country. If you are talking about the North-East, a plethora of complaints are coming from the minority organisations of harassment. The North-East Indian Democratic Organisation has appealed to the present Prime Minister, Shri H.D. Deve Gowda and the hon. Home Minister, Shri Indrajit Gupta to alleviate the miseries of the migrant Indians in the North-Eastern parts of the country, who are being harassed illegally. So, a bogie is being created and harassment is being done for political purpose and without any basis whatsoever, which is divorced from the realities of the situation. For example, in Mumbai, we had the Shiv Sena Pramukh, Shri Bal Thackray openly calling upon the Shiv Sainiks to come forward for the purpose of detection of the Bangladeshis, the illegal migrants.

There is an open invitation to take the law into one's own hand and the result was that there have been instances of the Shiv Sainiks entering into *masjids* even at the time of *namaz*, for the so-called identification of the Bangladeshis. ...(*Interruptions*)

SHRI SURESH PRABHU: Madam Chairman, I shall request the hon. Member to please yield. ...(*Interruptions*)

[*Translation*]

PROF. RASA SINGH RAWAT: Wrong thing is being said. It is absolutely not like this. This must be expunged from the record.

MR. CHAIRMAN: One minute, Mr. Banatwalla.

[*English*]

SHRI G.M. BANATWALLA: Our delegation met the present Governor, Shri P.C. Alexander. We presented a memorandum to the Governor and placed all the facts before the Governor.

MR. CHAIRMAN: One minute, Mr. Banatwalla. Since you have taken a name, he has the right to defend it. Can I give him one minute if you please yield?

SHRI G.M. BANATWALLA: No, certainly not. He can speak when his time comes. I have not taken hon. Member's name. When his time comes, he can certainly speak.

SHRI SURESH PRABHU: Madam, when Shri Sontosh Mohan Dev could defend his party, why could our party not be defended? ...(*Interruptions*).

[*Translation*]

PROF. RASA SINGH RAWAT: He has referred the name of Shiv Sena, but no one among us has taken the name of Muslim League.

[*English*]

SHRI G.M. BANATWALLA: These are the matters of record. We met the Governor of Maharashtra, Shri P.C. Alexander, and presented a memorandum, giving all these facts and the names of places ransacked by these people. Here, in Mumbai, what happened? In the name of Bangladeshis, a reign of terror was let loose. The Bangladeshi women were afraid to wear *saris* in Bengali fashion. The people were afraid of speaking in Bengali ...(*Interruptions*)

SHRI SURESH PRABHU: We have heard of Goebbels. But after Goebbels we are hearing it for the first time. It is all untruth which is being used on the floor of the House ...(*Interruptions*).

SHRI G.M. BANATWALLA: From the Victoria Terminus railway station, trains full of Bengali people, Bengali Indians ...(*Interruptions*)

SHRI JAGAT VIR SINGH DRONA: Madam, I am on a point of order.

[*Translation*]

PROF. RASA SINGH RAWAT: It seems as if the Muslim League of pre-partition is speaking. He is saying the same thing which Muslim league used to say.

[*English*]

MR. CHAIRMAN: Mr. Banatwalla, he is on a point of order.

[*Translation*]

SHRI. G.M. BANATWALLA: You will not be able to listen the truth.

[*Translation*]

SHRI RAJENDRA AGNIHOTRI: If you say truth, then we will be able to listen to it.

SHRI G.M. BANATWALLA: This is the truth. Face it.

[*English*]

MR. CHAIRMAN: What is your point of order, Mr. Drona?

[*Translation*]

SHRI JAGAT VIR SINGH DRONA: My point of order is that when reference to a person, who is not a member of the House and who is not present in the House, is made then either it should not be included in the proceeding or the party, whose reference has been made, representative of that party, who is very much present in this House, should be given a chance for clarification. The member of that party is in the House.

MR. CHAIRMAN: I am already saying that they have a right to give clarification.

SHRI G.M. BANATWALLA: This is not a question of party. He has no right to take my time to express himself.

MR. CHAIRMAN: You have named the person. He has a right to reply.

SHRI G.M. BANATWALLA: If he takes my time then it is wrong.

[English]

This is a frivolous intervention that is going on here only because the truth hurts them.

[Translation]

SHRI JAGAT VIR SINGH DRONA: You please give ruling on my point of order.

[English]

SHRI SURESH PRABHU: Madam, he cannot be allowed to speak like that without your giving the ruling. A person who is not present in the House to defend himself cannot be named.

[Translation]

MR. CHAIRMAN: All right. I will see the record and whatever objectionable thing I find the I will see to it.

SHRI SURESH PRABHU: It is my right to give clarification. Let me allow.

[English]

SHRI G.M. BANATWALLA: Not now. I do not yield. The hon. Member is not named.

[Translation]

MR. CHAIRMAN: Alright, you please continue...

(Interruptions)

[Translation]

MR. CHAIRMAN: There would be no clarification to this affect. You will have a right to speak after his speech is conclude.

[English]

SHRI G.M. BANATWALLA: Madam, he may go on speaking all the untruths that may be there in this world, but the fact remains, they are matters of record, instances after instances are there, that we went to the Governor of Maharashtra and pointed out to them. But then the Government is the Government of BJP-Shiv Sena, with remote control. ... (Interruptions)

MR. CHAIRMAN: Mr. Banatwalla, you have already spoken for twenty minutes...

(Interruptions)

SHRI G.M. BANATWALLA: Madam, that is not fair ... (Interruptions)

MR. CHAIRMAN: Why don't you listen to me?

SHRI G.M. BANATWALLA: With so much of intervention, I have yet to open my mouth.

MR. CHAIRMAN: First you listen to me. It is a matter of record. You have spoken for twenty minutes. How much more time do you need?

SHRI G.M. BANATWALLA: Out of twenty minutes, fifteen to seventeen have been taken by them in intervening. I must be allowed my share.

MR. CHAIRMAN: How long will you take? Please reply to that. Why can't you listen to the Chair?

SHRI G.M. BANATWALLA: I shall take the time that is necessary in order to place my views clearly and cogently before the House. ... (Interruptions)

MR. CHAIRMAN: How much time do you need now?

SHRI G.M. BANATWALLA: I need the time adequate to place my point before the House. ... (Interruptions) And I will not certainly stop.

MR. CHAIRMAN: You have two minutes now.

SHRI G.M. BANATWALLA: I am a Member with all responsibility.

MR. CHAIRMAN: You have already taken more time.

SHRI G.M. BANATWALLA: I have never abused the time of this House. You can pick up the records and see.

MR. CHAIRMAN: Why do you not come to your point?

(Interruptions)

MR. CHAIRMAN: You are just wasting your time.

SHRI G.M. BANATWALLA: Therefore, Madam, let me, at this instance, thank the hon. Mover of the Resolution for giving an opportunity to place these matters before the House.

MR. CHAIRMAN: If you do not listen to the Chair you will be wasting your time. That is what you are doing.

SHRI G.M. BANATWALLA: It is unnecessary. I must say that the Chairperson's intervention is rather too much now. Please allow me to go on. I will not abuse the time. Rest assured. This is an assurance I am giving you. ... (Interruptions)

Madam, Chairperson, I have said that even the persons who are migrants from one part of the country to another part of the country and who are citizens are being harassed. Those living here, brought up here and educated here for generations and generations are harassed under the context of being called 'illegal migrants'. Now, Madam Chairperson, I must also draw your attention to the provisions of the Citizenship (Amendment) Act, 1985. This Act amended the Citizenship Act of 1955 and according to Section 6-A, it made special provisions as to

the citizens covered by the Assam Accord. Accordingly, all the persons of Indian origin, who came before 1st January, 1996 to Assam from Bangladesh are deemed to be the citizens of India. Then those who came between 1st January, 1996 and 25th March, 1977 are given all the rights except the right to vote. That right they got after 10 years. Now, irrespective of these provisions also, those settled for generations and generations are being harassed as Bangladeshis. There must be certain limits to those things.

A demand is made by these persons who have the orchestrated propaganda of illegal migrants that the Illegal Migrants (Determination by Tribunal) Act of 1983 in Assam be scrapped. I strongly oppose it because it would lead to further untold miseries to the innocent citizens of our country, particularly the minorities.

I must also make one or two more suggestions to the Government. It is necessary also to amend the Foreigners Act with respect to the burden of proof. Section 9 says that the burden of proof is to be upon the accused. This is a colonial legacy and under the present political context in our country it is bound to be misused and abused to the hardships of the people. Therefore, the Section needs proper amendment so that the burdened of Proof goes upon the employment the complaining authority. Similarly, under Section 12 of the Foreigners' Act the Central

Government has the power to delegate authority to others. I must appeal to the Central Government that there should be no delegation of authority now because of the political situation that is there in our country and the harassment that comes up to the citizens of our country.

Now, I must point out one more thing, before I conclude, and that is ...*(Interruptions)*

*[Translation]*

VAIDYA DAU DAYAL JOSHI: Time is over. You may speak later.

*[English]*

SHRI G.M. BANATWALLA: Yes, it is your time that is over. Before I conclude, I must say that the Government must not fall victim to all such...

MR. CHAIRMAN: You can continue next time.

Now, the House stands adjourned to meet again tomorrow, the 15th March, 1997 at 11 a.m.

18.00 hrs.

*The Lok Sabha then adjourned till  
Eleven of the Clock on Saturday,  
March 15, 1997/Phalgun 24, 1918 (Saka)*

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