

losing employment. Our countrymen are forgoing the employment. Even if you increase the domestic borrowing it will be only within the country. No amount of debt will harm us. But external debt, I understand, is about Rs. 55,000 crores. Please think over about putting a check on the external debt.

I congratulate you in bringing down the budget deficit from Rs. 7,940 crores to Rs. 7,337 crores. People fear about the deficit. I think that deficit financing and inflation are part of the economy for which we need not get perturbed. So long as this deficit and the inflation are within control, that is, inflation is less than 10 per cent and deficit is in the range of 2-3 per cent of the gross national product, we need not get upset or we need not bother about the criticism from the Opposition parties.

Lastly, I only wanted to say that the Central Government is giving more than Rs. 7,500 crores by way of subsidies. You are giving more than Rs. 3,000 crores on fertilisers alone. Have you ever thought that by giving Rs. 400 crores or subsidy... on Rs. 2 per kg. and subsidy on dhoties in Andhra Pradesh with expensive publicity that is being given, the Chief Minister could win the hearts of the people? But your Rs. 3500 crores on fertilisers which is going to the farmers is lacking publicity. We are not impressing upon the farmers and the poor people. We are not impressing anybody in this country with so many thousands and crores of rupees which the Government is spending on the poor people and for the agricultural community. But I wish that the amount of Rs. 3000 crores which you are giving to the factories is withdrawn and you see that this is given directly to the farmers by which you can encourage the competition among the manufacturers of the fertilisers and thus make the farmers feel that the Government of India is interested in their welfare.

18.00 hrs.

MR. DEPUTY SPEAKER: It is time to take up half-an-hour discussion. So, you please wind up.

SHRI K.S. RAO: Finally, I congratulate the Minister for the pragmatic Budget which he has brought in. If there are any suggestions for improvements, let him not have the feeling of ego; let him consider those improvements and accept to the extent possible.

18.01 hrs.

HALF-AN-HOUR DISCUSSION

[English]

Financial Assistance to Refugees from Pak Occupied Areas of Jammu and Kashmir

MR. DEPUTY SPEAKER: The House will now take up a discussion on the points arising out of the reply given by the Minister of State in the Ministry of Home Affairs on 27th February, 1989 to Unstarred Question No. 713 regarding financial assistance to refugees from Pak occupied areas of Jammu and Kashmir. Mr. Janak Raj Gupta may please start.

[Translation]

SHRI JANAK RAJ GUPTA (Jammu): Mr. Deputy Speaker, Sir, I had requested for a half-an-hour discussion in connection with the reply given to my question by the hon. Minister of State in the Ministry of Home Affairs on 27th February and I am grateful to you and thank you for giving me permission therefor. This issue concerns the poor and helpless refugees from Pakistan occupied

[Sh. Janak Raj Gupta]

areas of Jammu and Kashmir. At the time of partition, when riots had broken out in several parts of the country, some marauders from Pakistan attacked the beautiful Kashmir valley, looted the property of the innocent people and committed such atrocities on them that per force they had to kill their womenfolk. As a result, these unfortunate people were compelled to leave their homes and take refuge in other parts of the State. These refugees are not the victims of war but they are the sufferers of three wars. The first set of refugees were the victims of partition in 1947, when they were rendered homeless in their native land in West Pakistan and had to take shelter here as it was the border area. The second batch was rendered homeless during the Pak aggression on Chhamb in 1965 and the third set of people were the persons displaced during the attack by Pakistan in 1971. There can be no two opinions about the fact that assistance rendered by the Indian Government to these helpless people is praiseworthy. They did not even have the basic necessities of life such as food, clothing and shelter. They were provided shelter in the different camps. Some were accommodated in Nagrota camp and others in Yole and other camps and likewise they were provided shelter wherever it was possible to do so. They were provided with food and other assistance. Thereafter, with the passage of time, arrangements were made for their rehabilitation and settlement. Out of 31,000 refugee families from Pak occupied areas of Jammu and Kashmir in 1947, 26,300 families were settled in that state itself, a little more than 5,000 settled in areas outside Jammu and Kashmir and some settled in Delhi as well. Out of them 22,700 families were agriculturists, and 3,500 belonging to the business community preferred to settle down in urban areas. After their rehabilitation land was allotted to approximately 21,100 families but it could not be allotted to about 1600 families.

In this way there was a deficiency of about 8904 families. Government was to provide 1 lakh and 30 thousand kanal land to make up this deficiency. Some of the land out of this belonged to those who had migrated to Pakistan and the rest was Government land. About 1585 houses were also allotted and 698 plots were distributed. At that time scale of distribution of land decided was 4 acres of irrigated land and 6 acres of unirrigated land. Thereafter, a delegation led by certain leaders met the concerned Minister here. I was the Deputy Speaker at that time and hon. Shri Mohd. Ayub Khan and Shri Namgyal were also there in that delegation. As this was a humanitarian issue everybody, whether a minister or an official, was eager to help and rehabilitate them so that they got their due. But, thereafter none of the decisions was implemented and no significant assistance has been rendered to them so far. This was the fate of displaced persons of 1947. We are grateful to the Government for rehabilitating the refugees of 1971 from Chamb Sector. The hon. Minister has admitted in his reply that 696 families have not been rehabilitated and their cases are pending due to deficiency of land in the State. These refugees of 1947 feel neglected and say that the refugees of 1971 have been allotted 4 to 6 acres of land and housing plots. Plots were allotted to the non-agriculturists for shops and ad-hoc grants of Rs. 300 to Rs. 500 per family were given, depending on the size of the family. Rs. 100 to Rs. 500 were also provided as financial assistance. Rs. 5,000 were given as grant per family for building a house. Upto Rs. 10,000 were given for construction of a pucca house. In addition to it Rs. 1000 were given as rehabilitation grant. Rs. 2,000 were given for purchasing fodder and Rs. 600 to Rs. 1900 for cattle, Rs. 500 for purchasing agricultural implements, Rs. 300/- per acre irrigated land and unirrigated land and many more such facilities were provided. Rs. 5,000 per family were given to those engaged in business for starting their own

business. We are grateful for this because these refugees belong to our state and were in need of financial assistance at that time. Although they did not get enough money needed for their rehabilitation but somehow they are able to make their both ends meet. The refugees of 1947 who resided in the urban areas received Rs. 3500 and one residential plot. The number of such families was 1780. The refugees from rural areas received Rs. 1,000 and a plot of land. Therefore these refugees plead that Government should assist them in such a manner that they are able to stand on their own legs, start their own vocation, provided bread for the family and build a house of their own.

Mr. Deputy Speaker, Sir, if you visit these refugee settlements you will find them no better than the slums of Delhi. At that time the Jammu-Sialkot train service had been discontinued. Some people constructed houses on railway tracks and started living there. You can yourself imagine as to how much space is available on the tracks and how big will be the size of the house constructed on them. The condition is so worse that an entire family manages to live in one room. Some people constructed houses on hillocks and started living there, where there are no facilities of water etc. nor any other facility is available there. Even then they have no grief. They are happy. These people can improve their lot if they are provided with land and given money to start their own business. Now-a-days there is problem of un-employment everywhere. This problem is also prevalent there. The Government of India finally agreed to do something. When we insisted on our demands. They decided that some assistance must be given to these people. The Government felt that if not more, some special scheme should be drawn for them which will be called Special Economic Scheme for Rehabilitation of 1947 Refugees Settled in Jammu and Kashmir. But no such scheme has so far been formulated which would benefit these people.

I would like to urge the hon. Minister that keeping in view their miserable condition and also for the reason that the case has been lying pending since 1947. Some effort should be made to make these people self-sufficient who have been leading the life of refugees for the last 42 years. They should not be treated as refugees throughout their life. I would like to request the Government to give them grant-in-aid of Rs. 12,000 and loan of Rs. 12,000 to each family so that they could start their own business and construct their own houses especially when there is no possibility of their being shifted to any other place.

I hope that the hon. Minister will pay attention to it. A meeting of the officials of the State Government was held with the Planning Commission and thereafter a committee of the M.L.As was formed during the time of Sheikh Abdullah. This committee explained the whole case. Now our present Chief Minister, Shri Farooq Abdullah is taking a lot of interest to solve this matter and has maximum sympathy. He made a provision of Rs. 2 crores in this year's State Budget so that the package deal of Rs. 12,000 per family could be materialised, if not in this year, let it be during another couple of years. But Rs. 2 crores is not a big amount. It is too meagre to meet the requirement. The total expenditure involved comes to Rs. 15 crores and Rs. 15 to 20 crores is not at all a big thing for the Central Government. This a issue must be solved so that people are not deprived of their legitimate rights and they get their due.

There are some more refugees who come there from West Pakistan. A discussion to this effect had taken place in this House on several occasions. The Chief Minister of Jammu and Kashmir had also appointed a committee of M.L.As to study this case and find a solution. The number of families living here is not more. There are only 4,250 such families spread over 3 dis-

[Sh. Janak Raj Gupta]

districts of Jammu and Kashmir viz. Jammu, Kathua and Rajouri. They are the people who had come to India at the time of partition and settled there. The border was open at that time. These people were assured that they can live there and nobody will displace them. Now notwithstanding that these people were given land for agriculture and houses to live, they have neither right to vote nor their children have the right to sit in any competitive examination for any job. There they are non-state subjects. Our constitution contains special provisions in respect of Jammu and Kashmir. They have no such right under these constitutional provisions. I would, therefore, like to request the hon. Minister to think about them. They have no right to secure employment in the State. They have no right of citizenship. That is why a quota should be fixed for their children after allotting land and houses to them so that they may also think themselves as citizens of this country.

I hope that our young Prime Minister, Shri Rajiv Gandhi who is also the leader of the nation will think over it seriously. I know that he is very sympathetic towards the poor and he is always prepared to take steps to remove poverty and fulfil their urgent needs. Whenever any part of the country experiences drought and flood, he visits that part himself. I am sure that our leader will pay attention to it. This matter has been brought to his notice for more than once. With this I express my thanks to you and hope that our hon. Minister will pay full attention to this problem and help to solve it.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SONTOSH MOHAN DEV): Sir, the hon. Member has raised certain points. The sub-

ject matter in question is an issue which was raised in the past in this House as well as with the Central Government by various Members and also by the Chief Minister of Jammu and Kashmir. The hon. Member has very rightly said that the Government of India in the past have taken steps to provide settlement. Out of the total 32,000, families 26,300 are in Jammu and Kashmir and 5300 are outside Jammu and Kashmir, 3600 are in the urban areas of Jammu and Kashmir and 22,700 families are settled in the rural areas. *Ex-gratia* payment@ Rs. 3500 per urban family and Rs. 1000 per agricultural family were provided. In addition to that 2 acres to 3 acres of irrigated land or 4 acres to 6 acres of unirrigated land was also allotted to each family. As originally said in our answer, about 696 families of Chhamb sector could not be provided land. On this issue when the attention was drawn to the Central Government, we did in the year 1961 consider this issue and sanctioned Rs. 600 per acre of shortfall. But unfortunately the State Government did not utilise that particular amount for reasons best known to them. Probably they thought that it was not adequate for them. As very rightly said by the hon. Member, subsequently also, it was discussed at the highest level and the idea of floating a Corporation to look after the rehabilitation of these families was envisaged. The Government of India said that they could consider providing loan for this purpose. Unfortunately, the State Government said that they were not willing to take loans but they wanted grants. This was not accepted because we feel that after so many years of independence these people have already settled and now they should be treated like other citizens of this country and other assistance which is given—as was mentioned by the hon. Members—just like grants or loans should be given to these people. But we are not in a position to sanction the grant. But if the Government of Jammu and Kashmir comes forward with the setting up of a Corporation for them, we shall

certainly consider how best we can help them by giving them loan, to provide rehabilitation to them.

This matter was discussed before the Petitions Committee of the Rajya Sabha, where our Secretary (Rehabilitation) gave our views. But we are still sympathetic, provided an Action Plan can be formulated by the State Government, and it comes forward with a positive scheme. Then we shall definitely consider it; but on our part, we cannot assure and say that any special sanction will be given. But we are looking after the down-trodden people. There are various schemes with the Central Government, and the State Governments are provided with funds. I hope they will also come forward to help these people.

The hon. Member has raised the question of voting rights of 425 families. The Jammu & Kashmir have their own Representation of peoples Act. They follow the Representation of people Act, 1951 only for parliamentary elections where permanent and non permanent residents are allowed to vote. But those who are not permanent residents are not allowed to vote in the State Assembly elections. This matter was taken up before the Supreme Court; and even Supreme Court gave the verdict saying that it was for the State Government to decide. But since the hon. Member has drawn attention to this matter, I will request him to give it to me in writing. I will take up the issue with the State Government; but it is absolutely up to the State Government to decide. But we shall take up the issue with the State Government.

As regards the other issue, as I said, we are not now in a position to give sanction for any grant; but if a Corporation is set up, we shall definitely consider it.

SHRI MOHD. AYUB KHAN (Udhampur): Sir, I would put a question—a very

straight question. I want to ask the hon. Minister whether it is a fact that the Central Government has treated those refugees who were uprooted from Chhamb-Jhorian in 1965, and later on in 1971 in a different manner, and those earlier uprooted in 1947 in a different way. There is a difference between the treatment meted out to these people uprooted in 1947, and the treatment meted out to those people were were uprooted in 1965. So, we want that justice should be done to those people also, who were uprooted in 1947.

We do not want anything else; but we want justice from you. Why are you treating those who were uprooted earlier, people who have lost everything for the sake of the freedom of this country and who have undergone huge sacrifices, in a different manner? You are treating those people differently, and treating those people who were later on ruined, in a different manner.

I want to know the answer for this.

[Translation]

DR. G.S. RAJHANS (Jhanjharpur): Mr. Deputy Speaker, Sir, I would like to confine my speech to one or two points only and not more. The condition of these refugees is very deplorable. these people live on railway tracks and hillocks. If the Government say that as sufficient land is not available, those people cannot be given land then where should these people go?

The hon. Minister has rightly said that it is a state subject and the Government is prepared to extend help if the State Government set up a corporation for this purpose. In this connection I would like to request you to initiate talks with the State Government at the earliest, because it is a human problem. these people are not at fault It is a fact that the area was forcibly grabbed by Pakistan, no matter whether it was in the 1947, 1965 or

[Dr. G.S. Rajhans]

1971 war. The people were rendered homeless. Most of the people, who had come from Bangladesh or the erstwhile East Pakistan, have settled here and are living happily. Those people who had come from Punjab have prospered a lot perhaps they would have not achieved this much prosperity had they remained in Pakistan. Then what is the fault of these people who are leading a very desolate life. May I know from the Government whether they would consider this problem from humanitarian point of view so that the problem of those people, who cannot raise their voice and whose case is being pleaded by us in the Parliament, could be solved at the earliest.

[English]

SHRI SHANTARAM NAIK (Panaji): The subject of giving relief and rehabilitation comes in the Concurrent List, namely, Entry 27, which reads as follows:

"Relief and rehabilitation of persons displaced from their original place of residence by reason of the setting up of the Dominions of India and Pakistan."

Now, it appears that, in any case, this is the joint responsibility of the State Government and also the Central Government. Mr. Gupta has rightly stated that these *Sharnarthis* (refugees) have to be made *pursharthis* (self-sufficient). In times of war, we help the war victims in several ways. Refugees, who are war victims, they should be treated as such. Now, after so many years if you grant them any relief is something which is not understandable. Either we at the Centre are responsible or the State Government is responsible. Is there any constitutional provision or the attitude of the State Government which comes in the way of giving appropriate relief to them? Is the Central Government,

on its part, going to make any changes by giving voting rights to these people or is there any other plan in the future? In any case, what are the basic differences which presently exist between the State and the Centre?

[Translation]

SHRI HARISH RAWAT (Almora): Mr. Deputy Speaker, Sir, there are two kinds of refugees in Jammu and Kashmir—one belongs to 1947 and the other consists of those who came after 1971. The condition of refugees who came in 1971 from Chhamb-Jorian area is good. The State Government has given some help to them. But the condition of the refugees who came in 1947 is very deplorable as has rightly been said by Shri Janak Raj. The fact is that under the provisions of Article 373 they can neither acquire land nor the land can be allotted to them. Besides, they cannot be granted loan as they do not own any property or land. As such, the first thing should have been that Article 373 should not be made applicable to them. Even if article 373 was made applicable to them, the State Government is not doing anything for them. You should have taken steps to rehabilitate them in other states. Something should be done for them, because the ultimate responsibility lies with the Central Government only. They are there for last several years, their children and grand children have born. They feel that they are the citizens of India. But they are living in such a deplorable condition. They are not enjoying even their basic rights and getting basic amenities of life. I feel that it is not fair keeping in view our national pride. As such the Central Government should come forward and initiate talks with the State Government. If the State Government shows any hesitation then they should initiate action to rehabilitate the refugees in other States by treating it as their own responsibility. Secondly, whatever amenities are possible, as the hon. Minister said by

floating a corporation, should also be extended to them.

[English]

SHRI SONTOSH MOHAN DEV: Sir, those who came subsequently once in 1965 and again in 1971 were given relief. But we must appreciate that they wanted to go back and settle. They were not very keen to stay there. The amount which was paid in 1971 was Rs. 13,500 per family. As against that in 1948 they were paid Rs. 3,500 along with the land in rural areas and Rs. 3500 in urban areas. So, the quantum of the amount and keeping in view the money value of 1971 and 1984, I do not think that there was much differentiation.

The other question that is being raised is about the voting rights. This is a sensitive question.

[Translation]

SHRI JANAK RAJ GUPTA: I am grateful to you for providing relief to them. Please give them grant.

[English]

SHRI SONTOSH MOHAN DEV: I agree. I have said that if a corporation is floated, we are ready to help. Just as you are sympathetic, we are also equally sympathetic. We will assist them. At the highest level—at the Prime Minister's level—a meeting was taken and a suggestion was made that a corporation should be floated. Unfortunately, the State Government did not come forward. We shall take it up with them.

[Translation]

SHRI JANAK RAJ GUPTA: I want that. You should give them grant instead of loan.

[English]

SHRI SONTOSH MOHAN DEV: In the other parts of the country people have taken the loans and even recently when the report of the Finance Commission came, some of the loans were also waived all over the country for the refugees. So, there is no discrimination. In the past also, all money given for relief and rehabilitation was not given as a grant. For West Pakistan refugees as well for refugees from East Pakistan—because I come from an area from where 50 to 60 per cent of the East Bengal refugees came—loans were given to all of them, not all are grants. Here we have initially given grants as well as loans. You cannot say that the Jammu and Kashmir Government treated them badly. Unfortunately, the land was not available and in spite of their honest efforts they could not give lands. So, we will be doing injustice to the Jammu and Kashmir Government because local demands also are there for land and it is quite a sensitive issue there. But efforts were made. In the time of Sheikh Abdullah a proposal came and we gave money, about Rs. 600/- per head. But unfortunately that was not disbursed. I do not know the reasons. They should have given that money. It would have meant something for them.

As regards the voting rights, as I said in Jammu and Kashmir voting rights is an issue on which they went to the Supreme Court and the Supreme court had said that it was up to the Jammu and Kashmir State to decide. If I remember alright—I am speaking subject to correction—even after I came to this Ministry, we did write a letter on the basis of a memorandum, to the State Government. Only now there is a good sign. They are saying that they are looking into it. Their stand has somewhat changed now. Let us see. We will pursue the matter and try to get some thing. There is no differentiation between one type of refugee and the other. Government of India has always taken a positive stand. Even recently when the

[Sh. Sontosh Mohan Dev]

Chakma refugees came to Tripura the Government came forward with help. India will always help refugees. When the Tibetan refugees came we looked after them. So, there is no question of creating a difference between one type of refugee and another. On this particular issue, I am sure that the hon. Members will appreciate that though it is a central subject and is a State subject; we cannot compel them. We can only request them.

Shri Shantaram Naik was asking why it could not be done when it is a central subject. We cannot do it unless we get the green signal from the State Government.

But as the hon. Members have said, I specially request the Members of Parliament from Jammu and Kashmir to take it up with the State Government. If the proposal comes in the manner that we have suggested, we will be pleased to help and Mr. Gupta has already said that he is interested to see that something is done and the fullest cooperation will be given by our Ministry. That we can assure you.

18.39 hrs.

*The Lok Sabha then adjourned till Eleven
of the Clock on Thursday, March 16, 1989/
Phalguna 25, 1910(Saka)*