

[Mr. Speaker]

dered on its merits. For the present I am allowing the Minister of Steel and Mines to make a statement.

(Interruptions)

I am unable to accept the contention of Mr. Unnikrishnan that the observation made by the Steel Minister is not a statement.

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): On the 19th July, 1978, during the course of consideration of MISA Repeal Bill, I made certain remarks with regard to setting up of a Special Court to try Smt. Gandhi as a follow-up action of Shah Commission Report. Due to continuous interruptions, I could not clarify my remark, although I did manage to state in the House that

"A decision has taken place; and in continuation of that decision, and in pursuance of that decision, the matter will be referred to the Chief Justice of the Supreme Court for his opinion."

I should like to again clarify that the decision of the Government is to refer the matter of setting up of a Special Court to try the cases arising out of Shah Commission Report to the Chief Justice of India for his opinion. I should like to add that there was no intention of misleading the House; they have only wished to confuse the House. . . . (Interruptions)

MR. SPEAKER: The House stands adjourned till 2 o'clock.
13.07 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at six minutes past Fourteen of the Clock

[MR. DEPUTY-SPEAKER in the Chair]

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED INFUX OF TRIBAL REFUGEES INTO TRIPURA FROM CHITTAGONG HILL TRACT OF BANGLADESH

SHRI SAMAR GUHA (Contd): Sir, I call the attention of the Minister of External Affairs to the following matter of urgent public importance and request that he may make a statement thereon:—

"Reported influx of thousands of tribal refugees into the State of Tripura from the Chittagong Hill Tract of Bangladesh."

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): Sir,

Beginning in March this year, small batches of tribals, predominantly Moghs, and a few Chakmas, started entering in a clandestine manner, the Sabroom Sub-division of South Tripura District in the State of Tripura. In the initial stages, some of these batches were intercepted by our Border authorities and were asked to go back to Bangladesh. However, the tribals continued to infiltrate across the border into the hills and jungles in the State of Tripura and the movement of tribals increased in the subsequent months. As the border in that area passes through difficult terrain, it was difficult to intercept the refugees.

According to our latest estimates, these tribal refugees number approximately 4,000.

When the reports of this increased influx of refugees came to our notice in May this year the matter was immediately taken up with the Bangladesh High Commissioner. He was asked to convey the Government's concern at the influx and to ensure their safe return. Subsequently an officer of the Ministry was sent to Bangladesh to impress upon the Bangladesh Government that they should take all necessary measures to ensure that further migration did not take place. The Bangladesh Government was also asked to agree to the early return of the refugees to their homes.

The Bangladesh Government assured us that the returnees would not be subjected to any harassment and there would be no difficulty in the refugees going back to their homes and to taking back their properties. They also expressed their readiness to take back all refugees as soon as possible.

Following this agreement, the modalities of repatriations were discussed with the Government of Tripura. These discussions and the sorting out of the actual problems involved such as locating the refugees necessarily took some time. In cooperation with the Government of Bangladesh and in consultation with the Government of Tripura, the first batch of 258 tribal refugees was repatriated to Bangladesh on July 25.

The latest information which we have received is, another 501 refugees were repatriated on July 26, bringing the total number to 759. The repatriation is expected to be completed by end of August.

SHRI SAMAR GUHA: Sir, first I want to draw your attention to the fact that the figure given as 4000 is not correct. According to the statement made by the Chief Minister of Tripura, Shri Nripen Chakravarti, this is the figure of the refugees who have taken shelter in the refugee camps there. But many thousands more have taken shelter along with other tribal people with the private agencies there.

Sir, they have also mentioned that immediately they had sent some officer to take up the matter with the Bangladesh High Commissioner, but I don't know whether the attention of the Government has been drawn. Just a week or 10 days before, one of the important Ministers of Bangladesh made a statement that almost all the refugees have gone back to Bangladesh and there is no refugees left in

Tripura. However, the figure that has been given two or three days before, some 700 refugees, have been sent back, that is good if it is true. I want to draw the attention of the Government to one fact that this refugee influx is not a new phenomenon. Sir, it is known that since Partition, more than 70 lakhs of the minority communities have migrated out of the former East Pakistan. It was a deliberate policy of the Government of Pakistan after Partition particularly, to squeeze out the minorities from Khulna District where the minorities constituted a majority, the Chittagong Hill Tract area and other border areas particularly where the minorities constituted a majority, and this continued for years, and as I said that more than 70 lakhs of people belonging to minority communities from former East Pakistan were squeezed out of the country and most of them consist of the higher caste people, the middle class people. There was only a brief period of respite, of freedom or liberty or concept of peace, only during the regime of Banga Bandhu Sheikh Mujibur Rahman when the concept of democracy and secularism was adopted by the Government. But now, again the Zia Government with the help of the Muslim League, the Jamait-e-Islam and all other communal fanatics there, have started the policy of repression, tyranny and horror being perpetrated on the minorities there and as a result of that, after the coming of the Zia Government there is a continuance influx of the refugees into West Bengal, Assam and Tripura. The natural border extends to about 1700 miles. Only when the refugees come in bulk, the attention of the Government is drawn as in the case of Tripura, but the refugees are coming almost daily across the border. Many thousands of refugees of Bangladesh are there in West Bengal, in Assam and in Tripura. Because there is a bulk influx of the refugees from Tripura, the attention of the Prime Minister and the attention of the Government has been drawn. The tragic or unfortunate thing on the part of the Government is that they

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do not want to understand the problem as to why the refugees are coming. Even now, under the Zia Government why the refugees are coming? Our Government do not want to understand the basic problem.

SHRI DINEN BHATTACHARYA (Serampore): That is why they are trying to wind up the Rehabilitation Department.

SHRI SAMAR GUHA: That is the basic problem. They have adopted some kind of an attitude, some kind of deaf and dumb attitude. They do not want to hear anything, they do not want to see anything. They have got blindness also, deaf and blind. They do not want to see anything, they do not want to hear anything and they do not want to do anything about the problems of the minorities in Bangladesh. They do not want to hear anything. This is not my complaint only. During the last one year, a number of very elderly Gandhi-ite leaders, one of them died, who were there in Bangladesh for the last 30 years, came to Delhi, met the Prime Minister, met all the Ministers and gave them horrible stories of how the minorities have been subjected there. Not only the minority community leaders, there are in Bangladesh quite a large number of people of majority communities, young men particularly, who have been inspired with the concept of democracy, secularism and a new concept of neo-nationalism and it is the representatives of these people who came to India, met the highest authority of our administration. They met many Ministers and many political leaders. They are not representatives of minority communities. They are young men, representatives of the majority community who believe in secularism and democracy. And they communicated to this Government the horrible condition of the minorities; how they were being subjected to (yranny, torture and repression, and denied all human rights or civil rights. Not only denied rights, but also denied security of life and property. I do not know whether the

hon. Minister knows this: even 5 or 6 days before the last presidential elections in Bangladesh, very important leaders of Bangladesh came and met the highest authority here. They informed the authority that the minorities were not going to be allowed to cast their votes in the presidential elections. Government knew it and they also knew the *fait accompli*, viz. the result of that election. One of the very important leaders believing in secularism in Bangladesh came to Delhi. When Zia-ur-Rahman came, I made a representation to the Prime Minister. All these issues were raised, including: why were the minorities being compelled to leave their homeland. According to the Enemy properties Act and the Evacuee property Act, if members of the minority community migrated to India—you know that among the members of the same family, some members are living here in India, and some others are there—all the properties, houses, shops and businesses, all of them are being confiscated and forcibly taken over. As a result, without them, what will such people do? Thousands of them are coming out of Bangladesh. This was also pointed out to Zia-ur-Rahman.

At the time of the creation of Pakistan, all the cotton mills in those areas were those built up by minority community. At the time of partition and even thereafter, all the trades and industries of the minorities were confiscated without giving them any compensation. Things changed during the regime of Mujib. Now, the minorities are not getting any kind of licence for trading, unless they have a partner from the majority community. Boys belonging to the minority community are not getting opportunities for admission for engineering, medical and other higher studies.

There is not a single minority community officer, even at the sub-divisional level, what to speak of a higher level. There is not a police officer, even at the Thana level, what to speak of a higher level. These, in

a nutshell, are the problems that they are facing. They do not have civil rights. They are living a life of some kind of sub-human *homo sapiens*. This is the present condition. When Zia came here, all these problems were pointed out to him.

I also draw your attention to another matter. There is a great leader by name Phani Mazumdar. He is one of the closest colleagues of Netaji. He is now rotting in the jail and is in a serious condition. He has had a hernia operation, and is getting almost blind. He is having kidney troubles also. He is passing his 32nd year of imprisonment, starting from British days. Nobody in the sub-continent has spent so many years in jail. I raised this point. He is not only a minority leader. He is the most respected leader of minority and majority communities. When Zia-ur-Rahman met the Prime Minister, it was communicated that Phani Babu was going to be released in a day or two. When Zia came, there were many assurances, e.g. that he will see to it that forcible taking over of lands and properties will not be there. But it is continuing. On 23 June, they have again issued orders.

SHRI VINODBHAI B. SHETH (Jamnagar): This shows that people can live even after an imprisonment for 32 years.

SHRI SAMAR GUHA: It is so, because he is the closest colleague of Netaji.

SHRI DINEN BHATTACHARYA: Do you understand the significance of that?

SHRI VINODBHAI B. SHETH: I understand it.

SHRI SAMAR GUHA: He was in British jail for some time, in Pakistani jail for some time and now in Bangladesh. This is the 32nd year of the jail life he is passing.

As I was saying, Zia-ur-Rahman gave so many assurances to the Gov-

ernment of India, that after going back he will see that the properties, houses and shops of the Hindus, the minorities, are not taken. On the 23rd June, they have again issued orders according to the Evacuee Property Act, according to the Non-Residents Act, according to what is called the Enemy Property Act. Again, not only the Government is forcibly occupying the houses, landed property and shops, even the hooligans have been occupying them. This is how they have honoured the commitment.

So far as others are concerned, less property is taken. There are tea gardens in Sylhet area. All the tea gardens owned by the minorities have recently been taken over, leaving those tea gardens which are owned by the Europeans. They are maintaining their property, but all the tea gardens which were being owned by the minorities have been taken over very recently.

I would also draw your attention to another fact. After the Presidential election, horrible things are going on in East Pakistan. As I told you, it was known to everybody, you will be astonished to know, that Zia-ur-Rahman toured all the minority area. Because the safety of minorities lies in the development of secular politics, democratic politics, for that reason they were determined to support Osmani. That was the time when Zia-ur-Rahman was moving round all over Bangladesh particularly the minority areas. He asked the minorities "would you support me?". Out of fear they said "we will support you". Then he said "there is no necessity for you to cast your votes". If their votes were cast, they would be for the other side. So, no minorities were allowed to cast their votes anywhere, except in Jessore and Barisal districts and some parts where they were allowed just to make a test case. There 99 per cent of the minorities voted for Osmani, with what results you know.

In Jessore immediately there have been a number of killings and murder, a number of houses have been

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looted, a number of minorities have been squeezed out and a number of others were harassed. After the Presidential election, in Mimensingh district, Barisal, Chittagong, Jessore, Khulna and other areas, a number of minority leaders have been killed, a number of houses have been looted. Manoj Ranjan Dhar, who was a Minister in the East Pakistan days, Banga Badhu days and many other days, just after the Presidential election he has been arrested. Pullin Dey who was a follower of Jayaprakash, he is rotting in jail for the last 15 years. Many minority leaders have been killed and many others have been arrested.

MR. DEPUTY-SPEAKER: He should conclude now.

SHRI SAMAR GUHA: I will take another three or four minutes.

The Chaka Buddhists, in the hill tract areas of Chakma, from where they are coming 92 per cent of the hill tract population belong to the Chakma people. They are adjacent to the Indian borders and 92 per cent of them are Buddhists. It is for that reason, it is not communalism, the police and military went to vacate that area. Here I say with all sense of responsibility that this is known to your Department, to the Department of External Affairs, everything is known to you. For the last one year the police and the military have let loose a satanic rule in that hill tract area which is dominated by the Chakma people belonging to the Buddhist community so that the border may be cleared off of these people and the refugees who have been sent from Akyab and North Burma and other places can be settled there. It is known that other minorities are coming is known.

So, I am just going to ask one question of this House. . .

AN HON. MEMBER: House?

SHRI SAMAR GUHA: Yes, because it is a matter of national conscience. I have said it several times. I appeal

to the national conscience. Have we made any commitment to the minorities of this country and that country at the time of partition? Did our national leaders at the time of partition of India make any commitment to the minorities in this country and that country? Is it a fact that for many thousand years we have lived as brothers, they are the flesh of our flesh, the blood of our blood and we are the flesh of their flesh and the blood of their blood. In view of the historic commitment, our national commitment, commitment at the time of the partition that we made to the minorities of this country and that country, do we not owe a national duty to these people who are the victims of the betrayal made by the national leaders including Jinnah?

I also want to draw your attention to one thing, because I come from that area. Whenever I think of Khan Abdul Gaffar Khan. I think of the fact that 96 per cent of the Muslims there till the last were with the Congress. Now, what has happened? How have they been treated? The headquarters of all the revolutionary movements, the Olisalam and the Jugantar Party were in Bangladesh. There is not a single jail in Bangladesh which is not hallowed by the memory of those martyrs who were hanged there, in Chittagong and all other jails. They made this greatest contribution to the freedom struggle of India. For whose crime, for whose sake, their life, honour, dignity, everything is being sacrificed?

I am just making an appeal, not to the Government but to the whole House. After the 1950 Nehru-Liaquat Pact, you will remember it was agreed that Minority Affairs Ministers would be appointed. Charu Chandra Biswas was appointed on behalf of the Government of India as the Minister of Minority Affairs and A. M. Malik was appointed Minister of Minority Affairs in Pakistan. A Minority Board was set up in India for West Bengal and Assam, and a

Minority Board was set up in East Pakistan to look after the minorities of this part and that part. I do not want to revive that idea, but I want to make an appeal to this House, to the conscience of this House, to the conscience of the nation, to adopt a resolution just to make an appeal, a humanitarian appeal, an appeal with a sense of obligations to the minorities on this side and that side, to request Zia-ur-Rahman to look into the interests of the minorities. I am proud, I am happy, that a Minorities Commission has been set up in this country. Would this House agree to pass, to adopt, a resolution and ask Zia-ur-Rahman's Government to set up a Minorities Commission in Bangladesh to look after the life, property, dignity and interests of the minorities living there?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SAMARENDRA KUNDU): We are aware of Prof. Samar Guha's deep concern for the people of this country and this part of Bangladesh, and it is not the first time. On many occasions he has brought these problems before this House. He has some special information, which he has also shared. I could read his feelings from his pathos and emotions, the emotion with which he was speaking. He is one of our respected leaders, a valiant fighter in the freedom movement. Some of the things that he said are revelations to us.

SHRI SAMAR GUHA: It may be a revelation to you, but neither to the Prime Minister nor to Mr. Vajpayee. A dozen times many leaders of the minority and majority communicated all these things, what I said. Not a single word is unknown to them. It has been communicated by the representatives coming from Bangladesh, belonging to the minority and the majority community. Therefore, I have not revealed any secret or anything on my own. These are all known to the Government. As you find, this calling attention was on a particular subject—*influx of refugees from Chittagong area*. Prof. Samar Guha with

his flare as usual, with a brush he went over a broad canvas.

SHRI DINEN BHATTACHARYA: He has to do it.

SHRI SAMARENDRA KUNDU: I do not deny it. He went on elucidating about the problems of minorities all over. Then he ended up with an appeal to the House and to Shri Zia-ur-Rahman and others. He has not asked any specific question.

SHRI SAMAR GUHA: I was addressing to a deaf, dumb and blind Government.

SHRI SAMARENDRA KUNDU: I was just coming to his statement, but he said that he is addressing to a deaf, dumb and blind Government.

SHRI SAMAR GUHA: So far as Bangladesh minorities are concerned.

SHRI SAMARENDRA KUNDU: Therefore, in all fairness, you will agree that a deaf and dumb Minister cannot expect to reply to him.

SHRI VASANT SATHE (Akola): You should be proud of following the three monkeys. That is what he was referring to.

MR. DEPUTY-SPEAKER: But the three monkeys heard no evil, saw no evil and spoke no evil. They were evil-less.

SHRI SAMARENDRA KUNDU: Therefore, if we are really deaf and dumb, Prof. Samar Guha is also a part of us—I am sorry to say that. In his emotions, perhaps, he says something; I am sure, he does not believe in it.

He disputed the figure of 4,000 which we gave in our calling attention hand out. He said about 10,000.

SHRI SOMNATH CHATTERJEE (Jadavpur): What is the result of all this?

SHRI SAMARENDRA KUNDU: I do not know.

SHRI SAMAR GUHA: Even if your figure of 4,000 is correct, suddenly they did not go to Tripura. That is why, I said, it is continuous process. Suddenly, a bulk of refugees came, therefore, the attention of the Government and the press had been drawn. Otherwise, it is continuously happening. They are coming to West Bengal, Tripura and Assam almost everyday.

MR. DEPUTY-SPEAKER: I think, he understands it.

SHRI SAMARENDRA KUNDU: Out of 4,000, there are 2,000 who are in the camps. Now, we are making every effort to see that these people are persuaded to go back. Therefore, the time we came to know of this, we sent out instructions.

** (Interruptions).*

I would assure Prof. Guha and through Prof. Guha the entire House that we are not adopting any coercive measures in asking these refugees to go back. We have been persuading them. I can further say that when this matter came up, we immediately expressed our concern to Bangladesh Government to the High Commissioner. We sent our officers to look into it and we are in constant touch with the Tripura Government. Perhaps, Prof. Samar Guha does not know that there has been a delay of about a month or so in sending these refugees. This delay occurred because we patiently went on telling them, arguing with them, convincing them that we have been assured that if you go back, there will be no harassment. We have our difficulties. Had Prof. Samar Guha been a Minister, I think he would have also faced these difficulties.

SHRI SAMAR GUHA: God is so merciful to me!

SHRI SAMARENDRA KUNDU: If he wants to really help anybody, he should cooperate in all spheres and see that at least these refugees go back, that they are happily settled and that they are not harassed.

SHRI SAMAR GUHA: I want to know one thing. What happened to the commitment that was made by Gen. Zia to our Prime Minister when he visited last in regard to the security and other problems of the minorities there? Has even an iota of that commitment been fulfilled? That is the main thing.

SHRI SAMARENDRA KUNDU: Therefore, I would say, to the best of our ability -- I could not say to the satisfaction of Prof. Samar Guha--we are trying to see that these refugees go back from the country.

14.35 hrs.

BUSINESS ADVISORY COMMITTEE

TWENTIETH REPORT

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): I beg to move.

"That this House do agree with the Twentieth Report of the Business Advisory Committee presented to the House on the 26th July, 1978.

MR. DEPUTY-SPEAKER: The question is:

"That this House do agree with the Twentieth Report of the Business Advisory Committee presented to the House on the 26th July 1978."

The motion was adopted.