

will go up and with the price of rice going up the prices of essential commodities are bound to go up. Therefore, I believe, in order to bring relief to the people it is essential we should consider the question of bringing down the price of rice so that it may be possible for all people, for the poverty-stricken people, who have no means, to purchase food in the open market.

We have also found that in those areas where statutory rationing is there, the rice supplied is of such poor quality that the people can hardly consume the rice supplied to them. The quality is below the level of human consumption at times. That has also to be taken into account. It has also to be remembered that if we want to really safeguard against such conditions in the future, then the Government will have to think about making the Fourth Plan agriculture-oriented. Unless the past mistakes are rectified we cannot progress. I am one of those who feel that big mistakes have been committed in the past in the matter of planning. In planning for heavy industries and big steel plants we have forgotten the need of food production in this country with the result that millions of our people are facing starvation today. It may be due to the mistake in our initial stages of planning but if the Fourth Plan is agricultural-oriented probably we can remedy the situation. Even though it is late, it is better late than never.

If you permit me, Sir, to say this without offending the Members of the other side, may I say that after the general elections when the non-Congress Government came into power in West Bengal we found a peculiar phenomenon.

17.30 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Though statutory rationing was prevailing in Bengal, in the streets of

Calcutta, rice was being sold without any hindrance. People were surprised how such stocks of rice could come out when rationing is there. Some people were saying that probably the hoarders had some connection with the Government that has come to power, so the hoarded rice is coming out without fear of being caught by the police or any other measures being taken against the hoarders. This is a peculiar phenomenon that we are witnessing in West Bengal in the matter of food.

I am very sorry to say that in the review of the scarcity situation in India the Food Minister has only briefly referred to the needs of West Bengal. In fact, he has not suggested in what way he is going to meet the requirements of Bengal.

Mr. Deputy-Speaker: As it is half past five, we have to take up the half an hour discussion. The hon. Member may continue his speech tomorrow.

17.32 hrs.

INDO-CEYLON AGREEMENT*

Shri Umanath (Pudukkottai): Mr. Deputy-Speaker, Sir, this question of the implementation of the Indo-Ceylon Agreement of 1964 has been hanging fire ever since 1964. This House expressed its concern on the question of delay in implementing this agreement for the past three years, and this was expressed in a half-an-hour discussion on the floor of this very House in July 1966. After three years, a Bill has been introduced in the Parliament of Ceylon, which has gone through the first stage and is now before a Select Committee.

At the very outset I want to make it clear that by this discussion I do not mean any offence to the Government or Parliament of Ceylon. But

*Half-an-hour Discussion.

[Shri Umanath.]

since the Bill before the Ceylon Parliament is supposed to be in pursuance of the implementation of this pact, to which we are also a party, I only wish that our voice, the expression of our views, may be taken into consideration. Because we are a party to the agreement, if there are any provisions in the Bill which are not in consonance with the spirit of agreement, naturally we are entitled to express our views. I am doing this so that these views on those questions may be taken note of by the hon. Minister of External Affairs, Shri Chaglia. I would first make a request that he makes a visit to Ceylon as early as possible. Instead of merely depending on correspondence, let him meet the Government representatives there and discuss with them and pursue the matters or points which I am going to raise here.

While going through the provision in the Bill regarding the grant of Ceylon citizenship on the so-called stateless in Ceylon I find that no standards or criteria have been laid down, or provided, in the Bill which is before the Select Committee of the Ceylon Parliament. That provision says that the final decision on any such application rests with the Minister concerned. If such an application is rejected, the applicant cannot have recourse to a court of law. It is specifically provided in the Bill that no applicant can go to a court of law if he feels that his application for citizenship is unjustly rejected. In my view, this denial of right to appeal to a court has dangerous implications. I am saying this because of past experience. In the past a large number of citizenship applications were rejected and when the applicants went in appeal to the Ceylon court and the Privy Council, thousands of rejections made by the Government of Ceylon were quashed not only by the Ceylon courts but also by the Privy Council.

Referring to these judicial pronouncements in the past the *Hindu* dated the 8th December, 1966, in its editorial has written:

"Those judicial pronouncements had unmistakably exposed bias and unfairness in the Government's dealings with citizenship applications of people who had spent generations in the island toiling and building up its wealth."

This is the remark made by the *Hindu* in its editorial.

So, we must prevail on the Ceylon Government that the manner and the proportion in which different age groups must be accorded citizenship must be carefully settled by mutual negotiations. During such talks, I submit, we must insist on providing for appeal to courts on such applications.

Then, I come to the question of minor children. If an applicant's application is accepted and he is registered as a Ceylonese citizen, if he has got minor children, a similar application has got to be made on behalf of the minor after he attains the age. Then again it is left to the Minister concerned to accept that or not to accept that. This provision will bring about very inhuman situations because after the child attains the age an application is made and it being entirely discretionary if the Minister thinks that he is not fit for acceptance, if it is rejected, the child will be separated from the parents. All sorts of unhappy results will ensue. So my suggestion in this matter will be that our Government must pursue and see that the Ceylon Government accept the position that with regard to minor children, citizenship conferment will be automatic on their attaining the age. There should not be any separate application procedure so far as they are concerned.

Then, there is a provision for a separate register. In the latest Bill the provision says that those granted citizenship will be entered in a special register, called the Indo-Ceylon Agreement Citizenship Register. The Ceylon Government may say how it is material whether they are on this register

or on another register so long as their voting rights are given to them and they get all the voting rights as any other citizen. They may assure us, but I have got an apprehension. My apprehension is whether this separate citizenship register is meant for the purpose of separate electorates being constituted in future; whether for this purpose this separate register is being thought of. That is my apprehension. I make it plain. Let us not forget a bit of history in this respect.

Till 1948 there were no Stateless people in Ceylon. All those people who are called Stateless now till 1948 were citizens on a par with Sinhalese, with Ceylon Tamils and with the Muslims. These very people who are now called Stateless were equal citizens. They were British citizens on a par with all other sections of the people with the right to vote also. There was absolutely no distinction. There were no Stateless people in Ceylon till 1948. In fact, in 1947, if I may bring to your mind, the elections were conducted under the new Constitution with some restrictions and these people who are now called Stateless had franchise and they voted. So till 1948, when full independence was declared in Ceylon, this category of Stateless people was not there in Ceylon and they were equal citizens. Now they are singled out and decitizenised after Ceylon was granted independence. This is the position. That is why, in this background my apprehension is, whether it is intended or not, this maintenance of a separate citizenship register for these people is meant to politically quarantine them. This is my apprehension. I express it plainly. Is it meant to politically quarantine them so that later on separate electorates may be constituted? Is this register now being provided for for this purpose? They must be placed on a common citizenship list, a common electoral roll, and there should not be any separate electorates. This is an important question on which our Government must negotiate with the Ceylon Government.

Then, with regard to repatriation, I find from the provisions of the Bill that there are compulsions. Our understanding so far about repatriation in pursuance of the agreement, whether to opt for Indian citizenship or subsequent repatriation, was that it shall be voluntary. That is our understanding so far as the agreement that has been signed is concerned. But in the Bill, it is stated that immediately, on conferring of Indian citizenship, if a person belonging to the Stateless category is given Indian citizenship, he becomes liable to repatriation and he becomes liable to arrest and deportation at any moment. They may argue that they can give them resident permit. But resident permit is a thing which is entirely discretionary on the part of the Government. So, in pursuance of that, if the Ceylon Government says to the Master of the ship or the Captain of the aeroplane that these people must be taken there, they must obey and, if they do not obey, under the new Bill, they can be fined or they can be detained. If the fine is not paid by the Master of the ship or the Captain of the aeroplane, then the ship or the aeroplane can be sold and the fine recovered that way. That is why I say, the manner in which the repatriation is to be undertaken, the essence of it is force, compulsion, which is contrary to the agreement which says that it must be voluntary. So, I submit that such forcible repatriation should not be there. We must also prevail on the Ceylon Government that the manner and the proportion of age groups for repatriation must be mutually settled.

Further, I submit that the number of people we take must be subject to a similar conduct on the part of the Ceylon Government. As far as conferment of Ceylon citizenship is concerned, they must take a certain number on whom they will give Ceylon citizenship. Then also, it must be subject to their similar conduct. Otherwise, it will be one-sided. But, I understand, about 9000 so-called Stateless people have already been

[Shri Umanath]

iven Indian citizenship even before any legislation has been passed for giving Ceylon citizenship on the Stateless people. So, we are doing it one-sided. The hon. Minister must take into consideration this point also.

Then, I understand, they are bringing another legislation to provide for identity cards for all the citizens in Ceylon, both Indian citizens and Ceylon citizens. I do not know whether it is contemplated or introduced but they are bringing another legislation to provide for identity cards for all the citizens. If this legislation is passed, the disadvantage will be that about 1,50,000 so-called Stateless people who are outside the purview of this pact will suffer. Their future is yet to be discussed and negotiated. They are neither Indian citizens nor Ceylon citizens. What will be their position? What will be the position of those who do not come forward to apply for Ceylon citizenship or Indian citizenship? This is a serious matter. If this legislation providing for identity cards is passed, a big section of people will be left over and nobody will be responsible for them and very bad things and unhappy things will occur.

Now, I come to the question of rehabilitation. The question of rehabilitation is going to be a huge affair. I would like to know what has been done because lakhs of people are involved in that. It is a huge mass of humanity that is going to be uprooted and mostly they are plantation workers coming mostly from Ramnad district and Tiruchirappalli district with a few from other districts. In regard to Burma refugees, some provisions about loans and other things were made. This sort of loan scheme and other things will not help, a huge mass of humanity who were living there for generations if they are to be uprooted and brought over here. This sort of loan scheme and other things will not do. I understand from the papers that Mr. Thondaman, the President of the Ceylon

Indian Workers Congress, approached our Prime Minister in July last year; he came here and met our Prime Minister. His submission was that 50,000 acres of cultivable land must be immediately arranged for these people if these people are to be taken over here, if nothing serious should happen to them. I would like to know from the hon. Minister what their proposals are and what arrangements have been made and what schemes have been formulated with regard to this huge mass of humanity.

In conclusion I would like to know from the hon. Minister his reaction to some of the provisions which are the key provisions; I have not gone into all the things, but on the crucial things which I have stated here, I would like to know his reactions.

Then I would like to submit that the Bill was introduced only just now, but it was published long before. I would like to know from the Government whether the Government have gone through this Bill which was published long before, whether we had approached the representatives of the Ceylon Government even before it was introduced in the Ceylon Parliament and made our submissions and given our reactions and proposals. If any contact was made, if any negotiation was made, I would like to know what proposals were made on these provisions by our Government and what were the reactions of the Ceylon Government and all that. Answers to these questions are very important because a news item that appeared recently gives the impression that these provisions have the consent of the Government of India. I am quoting from *The Hindu* dated 19th October, 1966.

"The Prime Minister, Dudley Senanayake, is understood to have informed his Cabinet colleagues yesterday...."

That is, 17th October, 1966.

"...that negotiations between India and Ceylon which lasted for

over an year and a half had resulted in complete accord...."

in complete accord....

"... over the manner in which the 1984 Indo-Ceylon Agreement on granting of Ceylon citizenship to people of Indian origin should be enforced."

Kindly note the words 'complete accord over the manner' in which this agreement has got to be implemented. It means that the manner of implementation envisaged in the Bill has our Government's consent because previously it is said, "over the manner in which the Agreement... should be enforced". Following that news item, this Bill comes. This gives the impression—in Tamilnad lakhs of people think—that all the provisions in that Bill have got the consent of our Government and it has brought about serious reactions. I would like to know from the Government not only the reactions of the Government on these provisions, but also their plans of rehabilitation, and their reaction on the above news item which says, which implies, that our Government has given consent to the main provision of the Bill. Finally, I would request the hon. Minister for External Affairs, Mr. Chagla, not to resort to mere correspondence and would make an appeal to him to take the earliest occasion that he can find to visit Ceylon, meet the Prime Minister there—because now it is in the Select Committee stage—and have negotiations on the basis of some of the important things which will affect lakhs and lakhs of people there and which will have its own repercussions in our own country. I hope the hon. Minister will respond to my appeal.

Mr. Deputy Speaker: Mr. C. C. Desai, Normally we allow only questions, but I am making an exception in the case of Mr. Desai because he was formerly the High Commissioner for India in Ceylon. He would like to make a few observations.

Shri C. C. Desai (Sabarkantha): I am very grateful to you and to the House for giving this indulgence to me. I am speaking on the subject because I happened to be the High Commissioner for India in Ceylon during the first Indo-Ceylon Agreement of 1954. After that, this question of Statelessness arose. We had negotiations with the Ceylon Government. The Ceylon Government did not accept our proposals for division of the people of Indian origin in Ceylon between what we call the Ceylon nationals and Indian nationals. Thereafter, we declared that all these people were not Indian nationals, but they were people of Indian origin resident in Ceylon and, therefore, were the responsibility of the Ceylon Government. This is how this condition of Statelessness came into existence. After that, I do not see any reason why the Government should have gone ahead and entered into an agreement dividing these people and forcing Indian nationality on 550,000 people because if we did not make this agreement, the result would have been that all these people would have remained in Ceylon. They could not leave Ceylon because they were Stateless people and no person can leave the shores of Ceylon without travel documents issued by the Government of that country. If they issued the travel documents, they would become Ceylon nationals either by implication or otherwise and if they did not issue the travel documents, they could not leave Ceylon and sooner or later the entire million people would have remained in Ceylon and would have been the responsibility of Ceylon and would have been absorbed as Ceylon nationals. By this particular agreement, Government have now taken the onus or the responsibility of forcing Indian nationality at least on about 5,50,000 people. Supposing many of these people do not wish to be Indian nationals, how are you going to take these 5,50,000 people? On what basis are you going to force this nationality on these people—I would not call

[Shri C. C. Desai]

them Indians, but people of Indian origin resident in Ceylon? That is where the agreement has gone wrong and that is going to create trouble. It is all right for the Ceylon Government because they have got the nationality law, and they have got the citizenship law. They can relax the citizenship law and take additional people as Ceylon nationals, for instance, about 3,50,000 people under the agreement. But how are the Indian Government to enforce or to impose Indian nationality on unwilling people resident in Ceylon? That is what I would like to know. How is this agreement going to be worked on those people? They want to live in Ceylon. They are essential to the economy of Ceylon. They have been there for over a hundred years and they are not Ceylon nationals because of the strict operation of the Ceylon nationality law. But sooner or later they will have to be recognised and adopted as Ceylon citizens. So if we did not make this agreement, it seems to me that the entire one million people would have remained in Ceylon and would have been absorbed in Ceylon and would have received Ceylon citizenship sooner or later.

That is why this agreement is really faulty and it has now imposed on the Indian Government the responsibility of imposing Indian nationality on unwilling people who have made their life and who have made their entire livelihood in Ceylon.

Shri Sembayan (Kumbakonam): The late Prime Minister Shri Jawaharlal Nehru was very pointed and correct in one thing when he said:

"There is a history behind the settlement of Indians in Ceylon, which goes far back. It is not a new law and because of that the Government of Ceylon cannot dispose of it merely by saying it is just their lookout and nobody else's."

In view of the latest pact that has been entered into between India and Ceylon, whereunder India has accept-

ed to repatriate about 5,25,000 people, I would like to know from the hon. Minister of External Affairs how this number is going to be arrived at namely 5,25,000. If it falls short by one lakh or two lakhs, are they going to compel the people to come out from there? Would there be an element of compulsion in the matter of repatriation? I want a categorical and clear answer to this question from the hon. Minister about how these 5,25,000 people are going to be repatriated, and whether there would be any element of compulsion or whether it would be on a voluntary basis.

Shri S. Kandappan (Mettur): The Government of India who have always concerned themselves more with the implementation of the will of the majority than with the protection of the rights of the minority have committed the same blunder in dealing with the question of citizenship of the Indians in Ceylon. They have neither understood the history of it nor the present predicament of the people living there.

I would like to have two clarifications from the hon. Minister. Firstly, I would like to know whether the repatriation would be voluntary or compulsory. This is a very vital thing to which the preceding speakers have all referred.

In this connection, I would like to bring to the notice of the hon. Minister that the policy of Government as stated on the floor of this House before was that it was going to be voluntary and not compulsory. If I remember aright, in December, 1964, when Shri C. S. Jha, the Commonwealth Secretary was dealing with this matter he had a talk with the officials of the Ceylon Government, and he made it clear to that Government that it should be on a voluntary basis. Later on, when we put questions on the floor of this House, Shri Lal Bahadur Shastri and the other Ministers concerned had made it clear that it would be on a voluntary basis and not on a compulsory basis.

In this respect, I would like to read out what had appeared in *The Hindustan Times* dated the 25th April, 1965. The extract relates to what Mr. Senanayake had said on the floor of the Ceylon Parliament. This is how it reads:

"The decision was to get the people to decide on a voluntary basis and if it was difficult to reach the numbers specified in the Pact, then the Government were to devise ways and means to reach the required figures."

This means that if the number could not be reached on a voluntary basis, they had to devise ways and means to reach the required figures. I do not know what the ways and means are. So, I wish that Government make their policy clear as to what these ways and means are and I hope that they would see to it that those ways and means are not compulsory. Then to my second point. . . .

Mr. Deputy-Speaker: The hon. Member should only put a question or two.

Shri S. Kandappan: I am asking for a second clarification. . .

Shri Nambiar (Tiruchirappalli): The first was a question, and now it is seeking clarification.

Shri S. Kandappan: There should not be any separate register kept there for those who remain as nationals of Ceylon. If there is a separate register for such people, then actually they will be different from the citizen of Ceylon and treated as second-grade or third-grade citizens or whatever it is. This is a position we should not accept.

I am asking for these clarifications because it was the policy of the Government of India before that repatriation should be on a voluntary basis and there should not be any separate register kept for persons of Indian origin who would be accepted as Cey-

lon citizens hereafter. I would like to know whether our Government are sticking to these two principles, or they are going to yield on these.

Shri P. Ramamurti (Madurai): In view of the fact that it was stated that only the broad principles were laid down in the agreement and the manner in which the agreement was to be implemented was subject to negotiations between the two Governments, and in view also of the fact that the Ceylon Government has actually come forward with this Bill as early as October 1966, will Government explain why it is that they did not come before Parliament and tell us what exactly has been the course of negotiations and if any agreement had been reached, what were the terms of that agreement with regard to the manner in which the original agreement was to be implemented? It is now more than six months since this Bill has been on the anvil and therefore, why is it that the Government have not placed before Parliament their reactions to this Bill? Also hereafter at least will Government come forward and report to Parliament their reactions and also the progress of the negotiations from time to time?

Shri G. Viswanathan (Wandiwash): Are Government aware of the fact that the Government of Ceylon wants to reduce the numerical strength of the Tamils so that it can implement the 'Sinhala only' policy without much resistance and that many lakhs of people have been dubbed Stateless in pursuance of this policy? If so, what positive steps are they going to take to remedy the situation?

Shri V. Krishnamoorthi (Cuddalore): This is a problem concerning the lives of several lakhs of people of Indian origin in Ceylon. Anyway, an agreement has been reached. I am not entering into the *bona fides* or correctness of the agreement. But we have to implement it in the correct way. Even this agreement is being

[Shri V. Krishnamoorthi]

violated by one of its authors, Mrs. Bandaranaike. We feel extremely sorry about it. I understand the hon. Minister is likely to visit Ceylon. Will he take up the matter and see that the agreement is implemented in its spirit without taking any vengeance on individuals while considering applications? Also will the Minister—apart from this agreement—utilise his good offices to register all others left in order to strengthen the economy of Ceylon?

Shri S. K. Sambandhan (Tirutan): In the most unfortunate part of this agreement there is the clause relating to 150,000 people. It has been mentioned that the fate of these people will be the subject matter of a separate agreement. The Ceylon Government is not implementing the present agreement itself either in spirit or even in letter. Will this Government prevail upon the Ceylon Government to grant citizenship to these 150,000 people also along with the other 300,000 people?

Shri Bal Raj Madhok (South Delhi): While endorsing the observations and suggestions that have been made just now about this agreement, I would like to know from the hon. Minister whether this is going to be the model of our agreements about overseas Indians or persons of Indian origin living in other countries. I ask this question because during my recent tour of South East Asian countries, a number of people expressed to me their fear 'this is the treatment you are going to mete out to people of Indian origin in Lanka' "Is the same fate going to be given to us?" So a specific assurance should be given that one of the objectives of our foreign policy is to protect the rights of overseas Indians and the people of Indian origin. Will that be kept in mind while dealing with the other countries?

18 hrs.

Shri Nambiar (Tiruchirapalli): May I know whether the Government of India had drawn the attention of the Ceylon Government to the fact that

the Bill that they had introduced in the Ceylon Parliament did contain provisions contrary to the agreement reached between the two Governments on this issue, and if so: (a) what were the specific points raised by the Government of India, (b) what are the points still left unresolved, (c) whether the Government of India did not at least request the Ceylon Government to wait for implementation of the provisions of their legislation till the outstanding issues are settled by both parties through further negotiations, and (d) that a large number of Indians in Ceylon would not be repatriated till then?

The Minister of External Affairs (Shri M. C. Chagla): The question we are discussing is a difficult and a complicated one. It is a very human question, where hundreds of thousands of people are affected, and I am very glad that the debate has been carried on with great restraint.

Another important factor is that we are dealing with a legislation which is pending before a sovereign legislature of a friendly country, and I am glad that my hon. friend who was responsible for this motion showed considerable restraint in drawing my attention to what he thinks are certain flaws in this legislation. But we should make it clear to the Ceylon Government, and this will receive publicity, that we have no intention in any way to interfere with the sovereign rights of the legislature of a friendly country.

Shri Umanath: That is why I said that in my introduction.

Shri M. C. Chagla: That is what I am saying. My hon. friend showed a good deal of restraint because this is a very difficult and delicate matter, and I do not want the interests of our fellow-Indian citizens, those who are of the same origin as ourselves, should be affected by anything that is said on the floor of the House.

Now I shall deal with certain specific questions. Let me first say this.

A comment was made by my hon. friend who was once the High Commissioner in Ceylon that we have made a mistake in entering into this agreement. I demur to that. I think this is the best agreement that could have been arrived at, and I think we should pay our homage to Shastriji for having made this agreement possible. It was a difficult subject, a large number of people were involved, and I do not think my hon. friend is right in raising a doubt as to how we are going to force Indian citizenship on 500-odd thousand people whom we have agreed to take.

If I may read the specific provision of the agreement, it is not a question of forcing citizenship. This is what the agreement says: The total number is 875,000; 300,000 of these persons, together with the natural increase in their number, will be granted Ceylon citizenship by the Government of Ceylon; the Government of India accept repatriation to India of 525,000 of these persons, to get or with the natural increase in their number; the Government of India will confer citizenship on these persons.

It has been understood so far that repatriation will not be compulsory, it will be voluntary. We will try and persuade these people that if they do not come back to India; they will not get citizenship in India, and if they do not also get Ceylon citizenship they will be stateless without rights of any citizenship. If people come to India, I am sure they will want to acquire citizenship of this country. Therefore, I do not envisage any difficulty in regard to this.

Shri Manoharan (Madras North): May I ask for a clarification with your permission? According to the agreement, 525,000 people are to be repatriated and 300,000 people will be given citizenship rights, but in implementing that I want to know whether the Government of India has carefully considered this, that if those people who are not willing to come

to India are included in the 525,000 and if those people who somehow or other want to come away to India are included in 325,000 and if that happened it will ultimately result in their driving away of the entire Tamil population. What are we going to do about it?

Shri M. C. Chagla: Let us not go too far. The agreement also provides that the Government will accept repatriation of persons within a period of fifteen years; it is not as if this number will be repatriated tomorrow or within one or two years; it would be spread over 15 years.

I was asked: what about the implementation? The Ceylon authorities have been co-operating with India; a joint committee consisting of representatives of both India and Ceylon had been set up with Headquarters at Colombo for the implementation of the agreement. The Committee has been meeting and discussions have taken place regarding calling of applications for the Indo-Ceylonese citizenship and other connected issues like transfer of assets, travel facilities, etc. The Bill is still before the Select Committee. There is this joint committee. I am sure representations will be made by the High Commissioner and by us as to proper provisions to be included in this Bill. I want to tell this House that the present Ceylon Government is very sympathetic to this question and I have no doubt in my mind that the Government there will do everything possible to help solve this problem.

On the question of rehabilitation, I want to make this clear. We consider the problem of rehabilitation of these people who are being unrooted in a sense and who have lived there for a long time and returning to their mother country as a national problem. It will not be the problem of Madras or of Kerala but it will be a national problem. Our High Commissioner has already issued a notification informing the people there as to what facilities

[Shri M. C. Chaglia].

we will try to give. I want to assure the House that we will see to it that they do not suffer in any way by leaving Ceylon and coming over to India. If anything we will try to see that their lot is improved and, not made worse. As I said earlier, it will be a national problem and it will be the duty of the Government of India to see that they are properly rehabilitated in this country.

A point was made by my hon. friend—it is a valid point and we will consider it about the citizenship provision. I have looked at the provision of the Bill which gives absolute discretion to the Minister and the jurisdiction of the court has been ousted. I made a note of this and we will see what we can do about this matter. Another point made by him was about the mutual agreement about the ages and groups, how they should be repatriated. There is the joint board sitting there; they will consider this question. As rightly pointed out by the hon. Member, the present position is that a decision has been taken to repatriate 9 000 Indians and they will accept Indian citizenship. All of them have not yet come; some of them have come back to India. We asked the Ceylon Government to confer Ceylonese citizenship in their turn on an equal number or a proportionate number. The answer given was that whereas we in India can confer citizenship under our Constitution, they cannot do it under their law. That is precisely because of that they introduced this legislation so that as soon as the Bill was passed, they would be in a position to confer Ceylonese citizenship on an equivalent number or proportionate number as laid down in the agreement.

As regards minor children, I again see the validity of this point. If once a person is declared a Ceylonese citizen, his minor children should also be automatically Ceylonese citizens, as in India. If I am an Indian, my minor children should also be Indian citizens. I see the force of that point.

As regards separate register, we in

this country know the terrible effect of separate electorates. If one thing was responsible for the partition of this country it was separate electorates. It was the Machiavellian device that was introduced by the British Government to separate the two communities. In the correspondence between Shastriji and Mrs. Bandaranaike, Shastriji made it perfectly clear that it is understood that the Indian citizens will not be put in a separate electorate. After all, the idea is that there should be integration and you cannot have integration if you treat the citizens as second class citizens or you put them in separate watertight compartments. This point of view has been fully pressed upon the Ceylon Government.

I may point out, and I am very happy to inform the House that as far as the 1965 elections were concerned, the election was held on a common electoral register. The last election in Ceylon in 1965, was held on a common electoral register and not on a separate register.

Shri Umanath: These stateless people have not been conferred Ceylonese citizenship yet. The question will come only after conferment of Ceylonese citizenship under the pact.

Shri M. C. Chaglia: I will look into it. In the 1965 election, during the last election, all the citizens were on a common electoral register; where they were of Indian origin they were all on a common register. There are today Ceylonese citizens who hail from India, from Tamil Nad and from Kerala. But in the last election, there was a common electoral register. We hope, we sincerely hope, that this will continue for the future elections and there will not be a separate electorate set up for people of Indian origin.

Shri C. C. Desai: What is the present thinking of the present Ceylon Government on this particular issue?

Shri M. C. Chaglia: Discussions are going on. As I said, I do not want to say anything which would embarrass the Ceylon Government which is very

friendly, which has got a strong opposition to face; a Bill is in the Select Committee. So, the less we say, the better it will be for the Indian case. I was really trying to persuade my hon friend not to press this discussion, but he said there were important matters which he wanted to discuss and I bowed to his wish and to the wish of the hon. Speaker who has admitted the discussion.

Shri Nambiar: It is done in a very cordial atmosphere.

Shri M. C. Chagla: I agree: I want that atmosphere to be kept up. Now, I think my hon friend said something about which I do not know frankly: he said they were contemplating legislation under which every citizen will be compelled to have an identity card. I will enquire into this; this is the first time I hear of it. I do not think it is likely, because no country likes to compel its citizens to produce an identity card unless it is a completely police state which Ceylon is not.

Shri C. C. Desai: It was contemplated even in 1954 by the then Ceylon Government; identity card for everybody.

Shri M. C. Chagla: My hon. friend Shri Madhok said that he is very worried about the effect this agreement and this legislation may have on people of Indian origin in other countries, on Indians overseas. This agreement was signed to meet a specific problem that arose in Ceylon where a large number of people were from India, as my hon. friend knows, who settled down and worked on the tea estates and so on. Their number increased. Ceylon is a small country and we have to solve this problem. As I said, on the whole, the solution has been very good.

As regards Indians overseas, they fall in two categories; there are Indians who have taken citizenship of the country to which they belong. And our principle is that having become citizens they should owe loyalty to their own country although they

should not forget the culture of their motherland. For those who have not taken that citizenship and who still remain Indian citizens, surely the responsibility is ours. I can assure the House that we will not be wanting in giving a sense of security and protection to those Indians who still retain the Indian citizenship. We have a right to tell the Government of any particular country that these are Indian citizens and their security should be looked after.

Coming to my friend who had a long list of points (a), (b), (c), (d) etc. he will excuse me if I do not answer all of them. But the substance of the matter is, have we drawn the attention of the Ceylon Government to the defects in the legislation? Suppose the Ceylon Government were to draw our attention to the defects in a Bill pending before this House; we will certainly resent it.

Shri Umanath: But if it is in pursuance of an agreement with the Ceylon Government, they can point out

Shri M. C. Chagla: This has to be done tactfully and diplomatically. We cannot publicly announce it in Parliament that we are protesting against it.

Shri Umanath: We also do not want that to be done.

Shri M. C. Chagla: As I said, we have our High Commissioner in Ceylon and we have this Joint Committee there. They are constantly in touch with the Ceylon Government. They are watching the progress of the Bill. Naturally we are putting forward our point of view and trying to see that the agreement is implemented in the spirit in which it was signed.

Shri Umanath: There is complete accord on the manner in which it is to be implemented. But the question is whether the Bill is in complete accord with it.

Shri M. C. Chagla: Where the Bill is in accord with it, we agree. To the extent that it is not in accord with it, we will certainly draw their attention.

Shri P. Ramamurti: Why not inform Parliament about the accord on the manner of implementation? We are entitled to know it. Are we to depend on press reports which may or may not be authentic?

Shri M. C. Chagla: He will realise that the Bill is still pending. We cannot have a discussion on it.

Shri P. Ramamurti: Not a discussion. We want information only.

Shri M. C. Chagla: Even the information will affect the fate of the Bill. We have seen in the papers that there is a lot of opposition to this Bill there and the Ceylon Government is doing

its best. Let us try to strengthen the hands of the Ceylon Government, which is sympathetic to us.

The hon. member suggested that I should go to Ceylon myself. I will try to see if I can go as soon as possible.

Certainly when I go there, I will convey to the proper authorities the feelings expressed in this House.

18.18 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, March 30, 1967/Chaitra 9, 1889 (Saka)