

Shri Tridib Kumar Chaudhuri: I am finishing. . . . Whether a person occupying the position of Finance Minister in the East Pakistan Government, Shri Prabodh Chandra Roy, has also been forced to come away, and whether

Mr. Speaker: Even if he puts 'ands', 'alsos' and 'whethers', how can they all be kept together and how can he expect to have an answer.

Shri Tridib Kumar Chaudhuri: My difficulty is, I am constrained to say, that unless I create nuisance, cry and shout, I cannot get a hearing. There are very important questions affecting the minority community living on the border.

Mr. Speaker: The hon. Member should realise that he can put a question so far as this notice is concerned. He has many other remedies. I do not doubt his intense feelings because he lives on the border. But he should not utilise this opportunity to put all questions that he has in mind. I have requested him to put a straight question.

Shri Tridib Kumar Chaudhuri: I will put only one question: whether the attention of the Pakistan Government has been drawn to the fact that migration has started since the holocaust of the minority community in Rajshahi district in 1961. That is why they want to close down this. Has their attention been drawn pointedly to this fact?

Shri Jawaharlal Nehru: Naturally, when migration took place from the Rajshahi district, it was brought to their notice two years ago or more. But nothing has been said in this connection because we have received their message this morning. The hon. Member referred to various reasons which may have induced Pakistan Government to act in the fashion that they have done; some of the reasons may be correct; how am I to say definitely what reasons the Pakistan Government has in its mind.

Shri Tridib Kumar Chaudhuri: That is not my question at all. Is it a fact that migration has been continuing because of the oppression of minorities? Has the attention of the Pakistan Government been drawn to this fact before replying to their note?

Shri Jawaharlal Nehru: As I said attention was drawn. I do not say it has been drawn now, recently. I do not think migration is continuing in large numbers now.

12.22 hrs.

STATEMENT RE: REPORTED DEVELOPMENT IN BERUBARI AREA

Mr. Speaker: The hon. Prime Minister to make a statement on Berubari.

Shri P. C. Borooah (Sibsagar): Sir, I have tabled a notice.

Mr. Speaker: Everyone cannot be accommodated; the point has been sufficiently discussed.

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): We have now received further information from the Government of West Bengal regarding the situation in Berubari and adjacent areas which was discussed in the House on the 26th. As some Members had expressed their apprehension that Indian national had been fired upon, that Pakistan had encroached into Indian territory etc., I will first state the factual position on these matters.

2. When the joint survey of Berubari recommenced for the winter season on the 9th November, 1963, certain Opposition parties organised an agitation against it and incited some of the local people, mostly Rajbansis, to resist the survey operations. On the 10th November, while the survey team was in the field, a large number of people including women attempted to stop the survey work. They even became violent and started throwing

brick-bats on the survey officials. 33 persons were taken into custody by the West Bengal police to prevent the situation from getting out of control. Next day on the 11th, again a large number of demonstrators surrounded the survey team and attempted to assault them, over-powering a constable on duty. There was considerable pushing and jostling and a show of force had to be made but very little force was used. 2 persons are alleged to have received slight injuries in this pushing and jostling.

3. The Deputy Commissioner of the District reported that "a pretence of force with lathis was made and the crowd melted away". The West Bengal Government have categorically stated that not a single shot was fired and that allegations about firing are absolutely baseless.

4. It seems the West Bengal newspapers exaggerated this incident blaming the police for excessive use of force. I would like to mention in this connection that the Hindustan Standard (Calcutta) of 27th November has published a letter from one Shri Jalpesh Ghosh who claims to be an eye witness and who has contradicted these exaggerated reports. In this letter the eye witness gives an account of the violence of the demonstrators and the exemplary conduct of the survey officials and the police.

5. The two survey teams continued to work, in spite of these demonstrations on 10th and 11th, till 15th November when the Pakistan field staff withdrew for some reason of their own accord. They have, however, returned since and the survey teams have been working in the field since 25th November.

6. The West Bengal Government have no information regarding the alleged report that the Government of Pakistan has issued orders to the East Pakistan Rifles to enter Berubari before actual transfer takes place. There has been no encroachment by

Pakistan into Berubari or adjacent territory.

7. Certain misunderstandings have been created by the report that more territory is being given away to Pakistan in Berubari and adjacent areas and the village of Chilahati has been mentioned in this connection. Actually, Chilahati though adjacent to Berubari is not part of Berubari Union. The West Bengal Government had themselves intimated to us in 1957 that 512 acres of Chilahati village of Debiganj Thana were adversely held territory. In the demarcation proceedings now going on in the area the survey staff will determine the status of this area on the basis of the last pre-partition notifications of the various Thanas and carry out the joint demarcation. This question of the status of the Chilahati village and of the area of 512 acres of this village adversely held by West Bengal Government since the partition has not connection with the Indo-Pakistan Agreement on the boundary dispute concerning Berubari. The demarcation, as far as Chilahati area is concerned, follows the Radcliffe Award, which states that the international boundary in this region "shall then continue along the northern corner of the Thana Debiganj".

8. Government of India's instructions as to how the line dividing Berubari should be drawn, clearly stated that the line of demarcation was to commence from the north-east corner of Thana Debiganj and then to run west-wards almost horizontally upto the western boundary of the Berubari Union No. XII in such a manner as to divide it in the nearest possible approximation to half of 8.75 square miles, the total area of Berubari Union No. XII. These instructions stand and are being implemented by the joint survey teams on the ground.

9. The survey teams are still engaged in demarcation work along the entire 25 miles border of Berubari and adjacent areas. This work is likely to be completed by the end of March 1964. Exchange of territories

[Shri Dinesh Singh]

between the two countries will take place sometime thereafter.

Shri Prabhat Kar (Hooghly): May I know whether it is not a fact that Chilahati belongs to Jalpaiguri thana and it has got nothing to do with Berubari and also, since the maps on the basis of which this agreement was reached do not include Chilahati, may I know how at the present moment this question of survey of Chilahati comes in?

Shri Dinesh Singh: The question of Chilahati is being considered by the West Bengal Government, whether it is part of Jalpaiguri thana or Debiganj thana, and it will also be considered by the officials who are demarcating on the ground.

Shri Prabhat Kar: The point is that so far as the records go, from as early as 1899 right up to 1936, Chilahati belongs to and forms part of Jalpaiguri thana, and therefore, may I know how this question comes in doubt now?

Mr. Speaker: The West Bengal Government might be considering it.

Shri Prabhat Kar: How does it come now, because all along it has belonged to Jalpaiguri thana? How does the doubt arise now?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): May I say that ever since the partition, apart from areas in dispute, etc., small areas have been in adverse possession of Pakistan or India, a few hundred acres, a mile here or there, and so on, and each party held on to its adverse possession, because the other party was holding on to another little bit of land in adverse possession. In the same way, this Chilahati area, about 500 acres, was admittedly in adverse possession, and as long as six years ago the West Bengal Government told us that it is

in their adverse possession. They pointed out some other small areas....

Shri S. M. Banerjee (Kanpur): What is the meaning of "adverse possession"?

Shri Jawaharlal Nehru: It means that according to the partition reports, this should have gone to Pakistan. Others were pointed out which should have come to us, which were in Pakistan's possession—little bits here and there. This has nothing to do, as has been pointed out, with Berubari. It is an independent thing. Now that demarcation is taking place and all these small matters come up to be rectified. It is in that connection this matter has come up.

Shri S. M. Banerjee: From the statement of the hon. Prime Minister and the Deputy Minister, it is clear that there is some survey which is going on regarding Chilahati, which according to the news available to us, does not form part of Berubari. It is in Jalpaiguri Thana. I would like to know whether, in view of the repeated provocation by the Pakistan Government, the Central Government will now revise their decisions regarding Berubari and also Chilahati?

Shri Jawaharlal Nehru: The answer to that is 'no'.

Shri S. M. Banerjee: You are going to give Chilahati?

Shri Jawaharlal Nehru: There is no decision of ours. The whole boundary is being partitioned and demarcated. There is no decision of our to demarcate that.

Mr. Speaker: Their anxiety is about Chilahati, we have admitted we are in adverse possession of it.

Shri Jawaharlal Nehru: Am I to tell a lie to this honourable House?

Mr. Speaker: No, the Prime Minister has said that Pakistan also is in

adverse possession of some other areas. When they are claiming Chilahati, are we trying to claim those areas which are in adverse possession of Pakistan?

Shri Jawaharlal Nehru: This matter was postponed. As I said, it arose in 1957 and since then it has been reported to us by the West Bengal Government that while this particular area of 500 acres or so did not according to their view belong to us, there were other areas which belong to us, of which Pakistan was in possession. This matter can only be settled, they say, when this area has been demarcated properly. Now the process of demarcation all along the frontier is taking place. We expect all these minor adjustments will take place.

Shri S. M. Banerjee: A discussion should be allowed on this.

Mr. Speaker: Can I allow it in this manner? Let him give notice and I will consider. Shri Indrajit Gupta.

Shri Indrajit Gupta (Calcutta South West): The Prime Minister just now said that these minor adjustments which may be necessary would be in the nature of a few hundred acres here and there. May I know whether the Government's attention has been drawn to the reports which appeared very widely in the Press, which caused all this commotion, that whereas the original Berubari agreement laid down that about half the Berubari area, i.e. a little over 4 square miles would be ceded to Pakistan, the total area which is now proposed to be ceded under the terms of the survey now going on is more than 9 square miles, which is more than the total area of the whole of Berubari Thana. Is this a bari is half of 8.75, i.e. about 4½ yards?

Shri Jawaharlal Nehru: I am afraid the hon. Member is mixing up Berubari with other issues. Half of Berubari is half of 8.75, i.e. about 4½ square miles; that is all.

Shri Indrajit Gupta: The area that is proposed to be given now is about 9 square miles.

Shri Jawaharlal Nehru: I am not aware of that. Our information is that so far as Berubari is concerned, 4½ square miles or something have been asked to be demarcated. There is no question of 9 square miles at all or any other question, but only 4½ square miles. Apart from this, this demarcation is going on of the whole border. There is no question of giving up anything; that is in accordance with the various previous awards that area is being demarcated and boundary pillars put.

12.36 hrs.

STATEMENT RE: INDIA'S REPRESENTATION AT FUNERAL OF PRESIDENT KENNEDY

Mr. Speaker: I have received two motions by Dr. Lohia and others and Shri Ranga and others and two short-notice questions by Dr. Lohia and others and Shri H. V. Kamath on India's representation at the funeral of President Kennedy at Washington. Would the Prime Minister like to say something.

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : हिन्दी में कहूँ या अंग्रेजी में ?

अध्यक्ष महोदय : दोनों में कह दीजिये ।

एक माननीय सदस्य : हिन्दुस्तानी बोलिये ।

श्री जवाहरलाल नेहरू : २३ तारीख की सुबह हमें यह अफसोसनाक खबर मिली थी प्रजीडेंट कनेडी की निस्वत । उस तारीख को फौरन हम ने अपने इंडे हाफ मास्ट करने की हिदायत दे दी थी । हमें मालूम नहीं था कि कब प्यूनरल होगा । तफसील की इत्तिला नहीं थी । फिर भी हम ने अपने एम्बसेडर को लिखा ।