

**THE PRIME MINISTER (SHRI-MATI INDIRA GANDHI):** Whether the hon. Members want to accept it or not; we have made a dent in the crime situation. In Delhi; to-day the situation is better. But we are not at all complacent. We are conscious that a great deal more has to be done specially with regard to crimes against women. I hope that this is one matter in which we can all cooperate and ensure that a proper public opinion is created.

**MR. SPEAKER:** Now; the Prime Minister has spoken. Let us go to the next question. Q. No. 24. Shri Amar Roypradhan.

**Meeting of All Assam Students Union with Prime Minister and Home Minister**

**\*24. SHRI AMAR ROYPRADHAN:  
SHRI K. P. SINGH DEO:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a delegation of the All Assam Students Union had met the Prime Minister and the Home Minister in connection with the foreign nationals issue; and

(b) if so, the outcome of those meetings?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA):** (a) Yes Sir.

(b) The talks are still continuing. **SHRI AMAR ROYPRADHAN:** Sir, you know that in the last five-months, the situation in Assam has been alarming on the question of foreigners. There is a jungle rule prevailing there. The situation has become much worse to-day after they assumed power in the last two months. So, I would like to know very categorically from the hon. Minister (a) how long this type of negotiations will go on and how long the non-Assamese people will be butchered just like cattle; and (b) On what basis and under what constitutional provisions, you have taken the line of 1971 as the base year of citizenship in Assam; whether it

would involve violation of Article 6 of the Indian Constitution.

**SHRI YOGENDRA MAKWANA:** Sir, we have taken all steps. Negotiations are going on. The Prime Minister called an all-Party meeting in which all the parties were represented from Assam as well as those who are represented in this House. It was decided there that the agitation should be suspended. Meanwhile talks are going on. And talks are now going on amicably had we are hopeful that a solution will be found in the near future. As far as the year 1971 is concerned, it was from all corners and all sections and all parties that suggestions came that 1971 should be taken as the base year.

**SHRI AMAR ROYPRADHAN:** Whether it is constitutional or unconstitutional, I want to know. I would like to know clearly from you whether it is within the provisions of the Constitution.

**THE PRIME MINISTER (SHRI-MATI INDIRA GANDHI):** How can the constitution be violated? The question is that foreigners should be detected. That cannot violate the Constitution.

**SHRI AMAR ROYPRADHAN:** The agitation in Assam, with the help of the police and high officials, are demanding citizens certificates from the non-Assamese, those living there for generations. I would like to know it very clearly from the hon. Home Minister how long these types of agitations will go on and how you will protect the life and properties of these people?

**THE PRIME MINISTER (SHRI-MATI INDIRA GANDHI):** We have made it quite clear when the leaders of the various parties from the Assam Assembly came here and the leaders of the opposition were present, as well as in the students' meeting that there must be no harassment of any genuine Indian citizen. Various tribunals and other bodies have been set up to deal with this matter. It is not a matter for

other people to deal with, for the general public to deal with. There is a complaint which I mentioned in this House that some officials of the Assam Government have been involved in this. We are looking into this.

**SHRI K. P. SINGH DEO:** I would like to know, whether when the delegation had come to meet the Prime Minister and the Home Minister, they gave any categorical assurance that this agitation is not against India or any community or any religion. If so, may I know whether any efforts were made to urge on this delegation to de-link the agitation from the functioning of oil refineries and other essential commodities which are affecting the north-eastern region and the entire economy of the country?

**SHRI YOGENDRA MAKWANA:** The hon. Home Minister and the hon. Prime Minister both urged upon the delegation but when the talks are going on, it is not desirable to disclose everything in this House.

**SHRI JYOTIRMOY BOSU:** Is it a fact that the delegation from Assam came and pointed out to the Prime Minister that if this agitation was stopped the CPM will grow and grow very far and that is the reason why.. (Interruptions). Let him answer.

**THE PRIME MINISTER (SHRI-MATI INDIRA GANDHI):** They are supposed to have met me and so I am entitled to reply that I have no such statement made to me.

**SHRI JYOTIRMOY BOSU:** I take it to be true.

**SHRI SOMNATH CHATTERJEE:** The Prime Minister referred to some tribunal. I have got records of tribunals set up by State Government which declared persons found to be residing in Assam from 1951 to be foreigners. The order says, yes, they are staying there from 1951, but they are foreigners and they have been directed to be deported within a week. Where those people are we do not know; not even an appeal can be

filed. I would like to know from the hon. Prime Minister whether the Tribunals which are functioning now in Assam have been set up by the Central Government or not. It is the Central Government Act and only the Central Government can constitute these Tribunals. This is a very serious matter. Hundreds of people are being declared foreigners who have been admittedly staying there since 1951. I would send the papers to the hon. Prime Minister. If the deadline is fixed as 1971 on the basis of the consensus of all the parties, what will happen to those people who have been sent out on the plea of the Tribunal's orders. This is a very serious matter. I would like to know from the Prime Minister, what has been the discussion and the decision of the Government?

**गृह मंत्री (श्री जैल सिंह):** यह जो ट्रिब्यूनल है यह असम सरकार के जो असिस्टेंट डिस्ट्रिक्ट व सेशन जज हैं, उनकी अध्यक्षता में बनाये गये हैं।

**SHRI SOMNATH CHATTERJEE:** Under what law have these been set up?

**गृह मंत्री (श्री जैल सिंह):** सिटिजन न होने पर भारत छोड़ो नोटिस जाता है, उसके प्रति अगर किसी ने एतराज करना हो कि मैं सिटिजन हूँ तो वह ट्रिब्यूनल में अपना मामला ले जा सकता है।

आप से मैंने यह प्रार्थना की कि जो सिटिजनशिप एक्ट है, जो कांस्टिट्यूशन की धारा 11 में अधिद्वार दिया गया है, उसके आधार पर पार्लियामेंट से एक एक्ट बनाया गया। इस सिटिजनशिप एक्ट के मुताबिक जिसको सिटिजन बनने का अधिकार मिलता है, उसको अधिकार देने के लिये और जो सिटिजन नहीं बने, उनके नाम वॉटर लिस्ट से निकालने के लिए यह काम शुरू से चला जाता है।

**SHRI SOMNATH CHATTERJEE:** This is a very important issue. The national consensus is that 1971 would be the year.

**AN. HON. MEMBER:** No, it is not.

**SHRI SOMNATH CHATTERJEE:** At least this is the request made by

all the parties. If this is so, why people admittedly staying there from 1951, and found so by the tribunals as a matter of fact, are now being deported. Under what law is this tribunal being set up and by what Government? This is a very important matter. I would send the papers to the hon. Minister if he does not know of this. But kindly enlighten the House. This is a human problem.

श्री जैल सिंह : आप मुझे कागजात भेज दीजिये, जिस बात की जानकारी नहीं आई होगी, उसमें मैं आपकी बात मान लूंगा, लेकिन आपको यह मालूम होना चाहिये कि 1952 से लेकर 1979 तक जो निकाले गये, जिन पर मुकदमों चलाये गये उनकी जो गिनती है, उसे आप देख सकते हैं। इसमें डिटेक्शन किये गये 3 लाख 71 हजार 861 हैं और जिनको प्रासीक्यूट किया गया वह 30 हजार 610 हैं और जो डिपोट किये गये उनकी गिनती 3 लाख 10 हजार 870 है। यह प्रासेस कन्टिन्युअसली चल रहा है और यह आसाम गवर्नमेंट की तरफ से होता है। आसाम गवर्नमेंट इसको करती है।

(Interruptions)

SHRI SOMNATH CHATTERJEE:  
Under what law?

SHRIMATI INDIRA GANDHI:  
After the conference of the Home Ministers of India and Pakistan in April, 1964, it was decided to introduce a judicial element in the procedure for the eviction of Pakistani infiltrators. Accordingly, a statutory order called the Foreign Tribunal Order, 1964 was issued on 23rd September under which four tribunals were set up by the Assam Government in October that year. Since then the number has been increased.... (Interruptions). This was done in 1964. The Home Minister has already read out the number of people who were deported earlier. Some of those people may have returned-I do not know. I would be glad to have the papers which the hon.

Member wants to send me. We will certainly look at them very seriously. But there are cases where some of these people found to be infiltrators and who were deported from Assam, have returned. This is what we are told; and that matter has also to be looked into.

SHRI SOMNATH CHATTERJEE:  
There is a recent spurt in the so-called tribunals after the recent... (Interruptions)

SHRIMATI INDIRA GANDHI:  
From 4 it has been increased to 16. It is true.

(Interruptions)\*\*

MR. SPEAKER: Nothing without my permission.

SHRIMATI INDIRA GANDHI:  
Hon'ble Member Shri Vajpayee, there are two distinct problems here. One is the problem that Indian citizens should not be harassed, and they should be allowed to live and work wherever they want to. Secondly, if there are foreigners, that matter has also to be dealt with.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, यह दावा ठीक नहीं है कि सभी राजनीतिक दलों ने 1971 को स्वीकार किया है। इस सम्बन्ध में मतभेद है, और सरकार को, आसाम में जो आन्दोलन चला रहे है, उनके साथ बातचीत कर के कान से वर्ष को आधार बनाया जाये, यह तय करना होगा। मगर मैं जानना चाहता हूँ कि अगर ट्रिब्यूनल की संख्या बढ़ाई जा रही है, तो इसमें गलत क्या है। आसाम के दार में मुझे ऐसे मामलों मिले, जिनमें बंगलादेश से कोई व्यक्ति आता है, उसे पश्चिम बंगाल में नागरिकता का सर्टिफिकेट दिया जाता है और आसाम में बसने के लिए भेज दिया जाता है। (व्यवधान)

SEVERAL HON. MEMBERS: No, no.

श्री अटल बिहारी वाजपेयी : क्या इस मामले की भी जांच की जायेगी ? (व्यवधान)

अध्यक्ष महोदय, विद्यार्थियों ने इस बात पर जोर दिया है कि जो अभी इन्फिल्ड्रेशन हो रहा है, उसको रोकने के लिए प्रभावी कदम उठाये जायें। मैं पूछना चाहता हूँ कि इस सम्बन्ध में सरकार ने क्या फैसला किया है। केवल बैंकपोस्ट्स बढ़ाने से यह इन्फिल्ड्रेशन नहीं रुकेगा। इस बारे में कुछ और कदम उठाने की जरूरत पड़ेगी। क्या इस सम्बन्ध में गृह मंत्री महोदय सदन को विश्वास में लेंगे ?

श्री जल सिंह : स्पीकर साहब, इस नेशनल प्राबलम पर हाउस की एंग्जाइटी को मैं एप्रिशिएट करता हूँ। सब पार्टियों के नेताओं में जो बात हुई थी, जिसमें यह कानसेन्सस हुआ, उसमें आनरबल श्री वाजपेयी नहीं थे। उसमें श्री सुन्दरसिंह भंडारी थे। वह उनसे पूछ सकते हैं कि क्या फैसला हुआ है।

श्री अटल बिहारी वाजपेयी : मैं ने पूछा हुआ है।

श्री जल सिंह : उसकी वर्बटिम रिपोर्ट है।

श्री जार्ज फर्नान्डीस : कौड़ी फैसला नहीं हुआ। अलग-अलग लोगों ने अपनी अलग-अलग राय रखी थी। मैं उस मीटिंग में मौजूद था।

श्री जल सिंह : इस बारे में बहस में पड़ने की जरूरत नहीं है।

SHRI GEORGE FERNANDES:  
Others put in their views.

SHRI C. T. DHANDAPANI: All the political parties agreed. (Interruptions)

He was also present.

SHRI GEORGE FERNANDES: There was a statement issued, appealing to the students. (Interruptions) in Assam to call off their agitation and restore normalcy there. That was the only thing that was agreed to.

श्री जल सिंह : कुछ बातें असबार में दी जाती हैं, कुछ नहीं दी जाती हैं। लेकिन इन बातों में जो आनरबल मेम्बर का ख्याल है, उन की जो एंग्जाइटी है वह भी मैं समझता हूँ। यह जो वहाँ स्टूडेंट्स की फारनर्स को निकालने की मूवमेंट चली यह 1979 के अक्टूबर में शुरू हुई। उस वक्त यहाँ पर लोक दल का राज था। किसी ने जा कर उन से बात नहीं की और न ही किसी ने इस बात का ख्याल किया कि उन को सुना जाय कि उन की शिकायत क्या है। यह बंबी तो है लोक दल का लेकिन हमें संभालना पड़ा। हम ने उन से बातचीत शुरू की है। . . . . (ब्यवधान) . . . . आप सुन लीजिए। बागड़ी जी आप जरा शांत रहिए. . . (ब्यवधान) . . . .

स्टूडेंट्स यहाँ आए और उन्होंने आ कर एक मैमोरेण्डम प्रधान मंत्री जी को दिया। उस मैमोरेण्डम में उन की आठ मांगें थीं। उन मांगों में से मैं आप को दोहरा दूँ . . .

अध्यक्ष महोदय : खत्म कीजिए, क्वेश्चन अवर खत्म हो गया।

श्री जल सिंह : क्वेश्चन अवर खत्म हो गया तो ठीक है, वाजपेयी जी हमारे पास आ जायें, मैं उन को समझा दूँगा।

#### WRITTEN ANSWERS TO QUESTIONS

#### Atrocities on Harijans and Weaker Sections in Bihar

\*25. SHRI K. MALLANNA:

SHRI MADHAVRAO  
SCINDIA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Central Government have received any report from Bihar conveying instances of excesses and atrocities perpetrated on the Harijans and others belonging to the weaker section of Society in that State during the last six months; and

(b) if so, the details thereof and the reaction of Government thereto?