﴿ المِولاناعبدِاللّهُ خال/عظیی: گھرگا مجھیعی ہی مذکا حُصارًا ہے۔ بالکل صحیح سے ان کو بکڑنا چاہیے ۴۔

MR. CHAIRMAN: The next item is statement by Shri L.K. Advani on the deportation of certain people from Mumbai by the Maharashtra Government. Seeing the way the debate has gone on now, I hope that Members would put their questions one after another and that they will allow each other to speak and then the hon. Minister will reply.

SHRI L.K. ADVANI: Sir, in respect of the earlier subject, I would like to inform the House कि उस डोडा की घटना के संदर्भ में आज प्रातः काल हमारे गृह सिचव श्री बी॰पी॰ सिंह, बी॰एस॰एफ॰ के डायरेक्टर जनरल श्री राम मोहन और मिलिटरी ऑपरेशन्स के एडीशनल डी॰जी॰ मेजर जनरल सिंह, ये तीनों वहां पर गए हैं स्थिति का जायजा लेने के लिए और आगे क्या कार्यवाही करनी है, इसको देखने के लिए। तीन कंपनीज़ और उस क्षेत्र में भेज दी गई हैं तुरंत।

MR. CHAIRMAN: Now, the statement by Shri Advani.

STATEMENT BY MINISTER Deportation of certain people from Mumbal by Government of Maharashtra

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): Sir, various reports have appeared in media regarding the deportation of Bangladeshi nationals from Maharashtra. Maharashtra Government has informed that they had despatched three parties of deportees on 20th, 21st and 22nd July to West Bengal with 24, 34 and 38 deportees respectively.

According to the information furnished by the Government of Maharashtra, an elaborate procedure is followed for detection, identification, and deportation of illegal Bangladeshi immigrants. The suspected foreigners are given adequate opportunity to produce proof of their The powers of the Central Government under the Foreigners Act, 1946, Passport (Entry into India) Act, 1920 and the rules and orders framed thereunder have been entrusted to the State Governments/UTs with their prior consent, under Articles 258/239 of the Constitution. These powers inter alia include the power to detect and deport the foreign nationals staying illegally.

The procedure for detection and deportation of illegal Bangladeshi immigrants mentioned in para 2 above is being followed by Maharashtra and other States based on which such illegal immigrants are regualrly being deported. Maharashtra Government has further informed that the illegal immigrants who were being taken for deportation thorugh Indo-Bangladesh border in West Bengal were detected to be illegal immigrants in accordance with the above mentioned procedure. It has also been informed that the police parties escorting these deportees were carrying with them deportation order issued by the Deputy Commissioner of Police, Special Branch-I, CID, Mumbai First and third parties of 24 and 38 deportees respectively were handed over to the West Bengal Police at instance of local district administration. The second party of 34

national status by way of birth certificate, school leaving certificate, ration card, electoral identity card. domicile certificate etc. In the event of failure to produce any such document, the suspect is charged under the relevant provisions of the Passport (Entry into India) Act/ rules and the Foreigners Act, and before metropolitan produced а magistrate who gives sufficient opportunity to such persons for producing proof of nationality. It is only in cases where no such evidence is produced to the satisfaction of the Court that the Court grants permission to the competent authority for deportation of such persons. The competent authority then issues the deportation order under Section 3(2)(c) of the Foreigners Act.

^{†[]}Transilteration in Arabic Script

deportees was obstructed by a mob or about 9000 at Chengail Railway Station in Howrah District on 22.7.98 which snatched away the deportees:

According to the information furnished by the Government of West Bengal, they have informed the Government of Maharashtra that prima facie it has transpired that some of the deportees brought by Maharashtra Police were Indian citizens belonging to some districts in West Bengal. They have also advised the Maharashtra Government that while deporting, they may ensure prior intimation and proper coordination with the West Bengal Police.

The Government of West Bengal has further reported that on a Writ Petition filed by some deportees, the Calcutta High Court has restrained the Union of India and others from deporting them till 28th August, 1998.

श्री संजय निरूपम (महाराष्ट्र)ः सभापति जी, माननीय गृह मंत्री जी के बयान का मैं स्वागत करता है और उस बयान से जुड़े आस-पास के कुछ सवाल उनके समक्ष रखना चाहता है। महाराष्ट्र सरकार का दावा है कि 20 और 22 जुलाई के बीच मुम्बई से जिन 96 नागरिकों को डीपोर्ट किया गया था. वे सभी अवैध बंगलादेशी नागरिक थे और गृह मंत्री जी ने उस बात की पृष्टि अपने बयान के माध्यम से की है। उन नागरिकों के पास चंकि मुंबई का राशन कार्ड है और वोटर कार्ड है, इलैकटोरल आई कार्ड है, इसलिए वे दावा कर रहे हैं कि वह भारतीय नागरिक हैं। क्या महज राशन कार्ड और वोटर कार्ड हासिल कर लेने से किसी विदेशी को भारतीय नागरिकता मिल सकती है? मेरा क्लैरिफिकेशन जैसा एक सवाल है---अगर इस विषय पर मंत्री जी प्रकाश हालेंगे तो बहत मेहरबानी होगी क्योंकि हमें यह नहीं भूलना चाहिए कि कलकता के माननीय उच्च न्यायालय ने इसी सबत के आधार पर मुंबई के बंगलादेशी घूसपैठियों के हीपोटेंशन प्रोसैस पर स्टे लगा दिया है। महोदय, हमें अदालत की कार्यवाही पर कोई टिप्पणी नहीं करनी है मगर प्रश्न नागरिकता से जुड़े नियम और कानूनों से जुड़ गया है। क्या सरकार 1955 के 'दी सिटीजनशिप ऐक्ट' में किसी प्रकार के संशोधन पर विचार कर रही है? इसी प्रश्न से जुड़ा एक प्रश्न है, खुद माननीय गृह मंत्री जी ने भारत के बास्तविक नागरिकों को परिचय पत्र देने का प्रस्ताव रखना चाहा था. क्या उस प्रस्ताव को लेकर

सरकार गभार है? वह प्रस्ताव कब तक पारित होगा और लागू होगा? मुम्बई के जिन नागरिकों के द्वारा डीपोर्टेशन के प्रश्न पर मुम्बई पुलिस व महाराष्ट्र सरकार की आलोचना की जा रही है, दरअसल मुझे लगता है कि वह आलोचना मुम्बई के मैद्रोपोलिटन मजिस्ट्रेट की आलोचना है क्योंकि मुम्बई पुलिस ने वह किया जो अदालत ने कहा। डीपोटेंशन की एक प्रोसैस है. एक प्रक्रिया है कि पलिस पहले संदिग्ध नागरिकों की पहचान करती है, फिर उन्हें गिरफ्तार करती है, उसके बाद अदालत में प्रोड्यूस करती है। जब अदालत को विश्वास हो जाता है कि अदालत में प्रस्तुत संदिग्ध नागरिक अवैध विदेशी नागरिक है. तभी उसके डीपोर्टेशन 🖼 आदेश होता है। बावजुद इसके मुम्बई पुलिस की विक्यसनीयता पर शक किया जा रहा है। मैं मंत्री महोदय से जानना चाहता है कि आज की तारीख में डीपोटेंशन की ओ श्रोसैस है. क्या वह प्रोसैस सही नहीं है? क्या इस प्रोसैस में किसी प्रकार के संशोधन की जरूरत है। अवैध विदेशियों की पहचान के लिए हमारे देश में जो गाइडलाइन्स निर्धारित की गयी है, क्या वह पर्याप्त नहीं हैं? मैं मंत्री जी से जानना चाहता हूं कि क्या उनमें संशोधन की जरूरत है? क्या 1946 के 'दी फॉरेनर्स ऐक्ट' में भी किसी प्रकार के संशोधन की आवश्यकता महस्रस हो रही है--स्पैशली वर्तमान परिप्रेक्ष्य में? महोदय, मुम्बई में 48 हजार बांग्लादेशी घुसपैठिए ऐसे हैं जिन्होंने राशन कार्ड और वोटर कार्ड हासिल कर लिये है। इस प्रश्न पर कई बार विवाद उठ चका है. यह 1994 की बात है, तब मैं इस सदन का सदस्य नहीं था। तब चनाव आयोग के समक्ष भी इसकी शिकायत की गयी थी कि मुम्बई के 48 हजार बंगलादेशी भुसपैठियों ने ...(व्यवधान)...एक मिनट, मुझे बोलने दीनिए... (व्यवधान)...

श्री खान गुफ़रान जाहिदी (उठर प्रदेश): महोदय, यह सैकेंड इस्टॉलमेंट ऑफ स्टेटमेंट है, क्लैग्रीफिकेशेस हैं या क्वैशन है? क्या वृष्ट क्किंड आहटम्स महोदय, आपसे परिमान लेकर बोल कें हैं?

श्री सभापतिः क्लैरीफिकेशंस मंग रहे हैं... (व्यवधान)...

SHRI MD. SALIM (West Bengal): Sir, we should have two sets of statements, one from the Government of India and one from the Government of Maharashtra!

श्री संजय निरूपम : महोदय, 1994 में ऐसी खबर आई थी। ...(व्यवधान)... श्री सभापति अभी खत्म हो जाएगा।

श्री संजय निरूपम : महोदय, 1994 में ऐसी खबर आई थी और उस पर बहुत विवाद उठा या कि मम्बई में 48 हजार बंगलादेशी घुसपैठियों ने अपने वोटर कार्ड और राशन कार्ड बना लिए हैं। उस समय हम लोगों ने चुनाव आयोग से इसकी शिकायत की थी। चनाव आयोग से जब हमने शिकायत की तो तत्कालीन मुख्य चनाव आयक्त श्री टी॰एन॰ शेषन ने मम्दर्श की मतदाता सूची में संशोधन करने का आदेश दिया था और उन्होंने कहा था कि फर्जी नागरिकों की छानबीन होनी चाहिए। मगर उस पर बहुत शोर-शराबा हुआ और कछ राजनीतिक पार्टियों ने इसका विरोध किया। उसके बाद श्री शेषन साहब झक गए और पुलिस भी झक गई तथा उस मतदाता सूची को संशोधित नहीं किया गया। मैं माननीय गृह मंत्री जी से पूछना चाहता हूं कि क्या मुम्बई की उस मतदाता सची में फिर से संशोधन करने का कोई विचार है? जिन बंगलादेशी नागरिकों ने गलत तरीके से मतदाता सचियों में स्थान हासिल कर लिया है क्या उनकी छानबीन करने का फिर से विचार किया जाएगा?

महोदय, कुरला-हावड़ा एक्सप्रेस जिस गाड़ी से बंगलादेशीज को डिपोर्ट किया गया था, उस ट्रेन पर हावड़ा जिले में एक स्टेशन के पास अटैक किया गया, हमला किया गया, आठ से दस हजार लोगों की वह पीड़ थी और उस पीड़ का नेतृत्व किया वहां के एक एजनीतिक दल के विधायक ने। मैं पूछना चाहता हूं कि जब उनका डिपोर्टेशन हुआ तो वह एक अदालत के आदेश से हुआ था। अदालत के आदेश का कार्यान्वयन हो रहा था और जब उस पर अटैक किया गया तो निश्चित तौर पर अदालत की कार्यवाई में बाधा पहुंचाई गई। मुझे लगता है कि यह कंट्रेम्ट आफ कोर्ट है। तो क्या गृह मंत्री जी कंट्रेम्ट आफ कोर्ट के आरोप में के करस...

श्री सभापति : नहीं-नहीं, आप नाम मत लीजिए। श्री संजय निरूपम : सर, मैं नाम नहीं ले रहा हूं। श्री सभापति : आपने नाम लिया था। आप किसी भी पार्टी का नाम मत लीजिए। आपने सवाल कर दिया, काप किसी का नाम मत लीजिए।

झी संजय निरूपम : ठीक है। क्या कंटेम्पट आफ कोर्ट के आरोप में माननीय गृह मंत्री जी उस विधायक के खिलाफ किसी भी तरह की कार्रवाई का प्रस्ताव रखते हैं?

महोदय, अन्त में मुझे एक दो सवाल और पूछने हैं। श्रांश्चमी बंगाल से बंगलादेश की सीमा तकरीबन सवा दो हजार किलोमीटर जुड़ी हुई है। मैं-कल ही श्री इन्द्रजीत गुप्त के साथ बैठा था, मैं उनसे कुछ जानकारी लेना चाहता था। मैंने उनसे पूछा कि यह सीमा कैसी है तो उन्होंने कहा कि एकदम खली है, किसी भी तरफ से सील नहीं हुई है। उन्होंने बताया कि नदी के पार बंगलादेशी रहते हैं और इस तरफ हिन्द्रस्तानी रहते हैं। नदी के एक किनारे पर वह कपड़े थो रहे होते हैं और दूसरे किनारे पर हमारे लोग कपड़े थे। रहे होते हैं। दोनों एक दूसरे से बात करते रहते हैं यानी उनका आवागमन एकदम खुला है, कोई रोक-टोक नहीं है। मेरा मंत्री महोदय से पछना है कि क्या पश्चिमी बंगाल से जो सीमा रेखा लगी है उस सीमा रेखा को सील करने का कोई प्रस्ताव है? पश्चिमी बंगाल में पिछले दस सालों में तकरीबन 50 लाख बंगलादेशी घसपैठिये स्थान पा चके है। उन 50 लाख धुसपैठियों को स्थान देने में, बसाने में वहां की वाम मोर्चा सरकार की क्या भूमिका रही है इसकी भी छानबीन होनी चाहिए।...

श्री सभापतिः यह हो गया. हो गया आपका।

श्री संजय निरूपमः वर्ष 1993 में एक बार इसी तरह से दिल्ली से जब बंगलादेशी नागरिकों को डिपोर्ट किया जा रहा था जो बहुत शोर-शराबा हुआ था। उस शोर-शराबे के बाद बंगलादेशी धुसपैदियों के डिपोर्टेशन का पूरा प्रोसेस ही थम गया, पूरा कम्पेन थम गया। मैं गृह मंत्री महोदय से पूछना चाहता हूं कि पिछले पांच सालों में 1993 से लेकर 1998 के बीच में दिल्ली से कितने बंगलादेशीज़ को डिपोर्ट किया गया? क्योंकि मुझे आशंका है कि शोर शराबे के बाद अब मुम्बई में भी, चूंकि महाराष्ट्र गवर्नमेंट के पास कलकता हाई कोर्ट का एक आदेश आ गया है, मुझे ऐसा हर है कि मुम्बई में भी जो बंगलादेशी हैं उनके डिपोर्टेशन के अधियान को चोट पहुंचाई जा सकती है, उसको रोका जा सकता है। दिल्ली में जिस तरह से डिपोर्टेशन थम गया है कहीं उसी तरह से मम्बई में भी बंगलादेशी....

श्री सभापतिः आप कोर्ट के डिसीज़न के बारे में कुछ मत कहिए।

श्री संजय निकापमः मैं कुछ नहीं कहा रहा हूं। श्री सभापतिः आप इसको खत्म कीजिए।

श्री संजय निरूपमः सर, मैं खल्म कर रहा हूं। महाराष्ट्र सरकार को केन्द्र सरकार किस तरह का सुझाव, किस तरह की सहायता देना चाहती है ताकि जो बंगलादेशी घ्रसपैठियों के डिपोटेंशन की प्रक्रिया थम गई

^{*}Expunged as ordered by the Chair.

है, जो अभियान थम गया है उसको थामा न जाए और उसको अनवरत जारी रखा जाए।

श्री सभापतिः हो गया। प्रो॰ विजय कुमार मल्होत्रा।

प्रो॰ विजय कुमार मल्होत्रा (दिल्ली): सभापति महोदय, मैं केवल दो-तीन बातों की क्लेरिफिकेशन चाहता हूं। इसमें तो बिल्कुल स्पष्ट है कि बंगलाभाषी को बंगलादेशी के नाम पर देश से निकाला नहीं जा सकता और न ही निकालना चाहिए। अगर बंगलाभाषी देशभर में रहते हैं और वह अल्पसंख्यक वर्ग से संबंध रखते हैं तो इस कारण से वह बंगलादेशी नहीं हो जाते हैं। गहं मंत्री महोदय ने कहा कि महाराष्ट्र गवर्नमेंट और पश्चिमी बंगाल की गवर्नमेंट में थोड़ा-बहुत मतभेद है। उनका कहना है कि कुछ इसमें भारतीय थे और महाराष्ट गवर्नमेंट का कहना है कि इसमें कानन के माध्यम से इस सारे काम को किया गया है। जी-चीज कानन के माध्यम से की गई और दो बेंचेज़ भेजे गए उनको पश्चिमी बंगाल की पुलिस के हवाले कर दिया गया, एक को उनके हवाले नहीं किया जा सका। अगर उनको महाराष्ट गवर्नमेंट भेजती है और वहां पर पहले इनफारमेशन देती है और पलिस के हवाले कर देती है तो मैं समझता हं कि उसके अन्दर कोई आपत्ति होनी चाहिए। क्या यह बात सत्य नहीं है कि हमसे पहली गवर्नमेंट ने जवाब देते समय यह बताया था कि देश में डेढ करोड के करीब बंगलादेशी घसपैठ करके आये है और इनमें से तीन-चार लाख के करीब दिल्ली में आए हुए हैं। यह भी होम मिनिस्टी की रिपोर्ट है। पहले होम मिनिस्टर इन्द्रजीत गुप्त थे. उनकी गवर्नमेंट ने यह रिपोर्ट दी थी। उन लोगों का क्या किया जा रहा है? क्या उनको निकाला जा रहा है? मैं गृह मंत्री जी से यह जानना चाहता हूं। उन्होंने योजना रखी थी कि सारे देश के लोगों को एक नेशनल रजिस्टर दिया जाए। हर एक को एक परिचय पत्र दिया जाए और जो बंगलादेशी या विदेशी है. उनको लाल कार्ड दिया जाए, बाकियों को हरा कार्ड दिया जाए। ताकि कम से कम अभी उनका वर्क परिमट हो जाए और बाद में उनको निकालने की बात की जाए। इसके बारे में उनकी क्या नीति है? क्या इस देश में जो बंगलादेशी है उनकी छानबीन करके वर्क परिसट देने की योजना है?

कल अखबार में एक खबर छपी थी। कल मेरे पास उसकी कटिंग थी। मैंने सोचा आज कि शायद आज आप इस इश्यु को नहीं ले रहे हैं। देवबन्द में इस्लामिक स्कूल है। उसके हैंड सारे मुसलमानों में सबसे बड़े माने जाते हैं। उन्होंने कहा कि उनके यहां जो बंगलादेशी छात्र आ गये थे ज्यादातर उनमें से चले गये हैं। उनमें से एक पकड़ा गया है। यह खबर पीटीआई, भाषा की खबर थी। उन्होंने कहा कि जो मेरे यहां बंगलादेशी छात्र पढ़ रहे हैं उनको यहां रहने का अधिकार नहीं है। वे वापस चले जाएं। उनके पास कोई पासपोर्ट नहीं है। और 80 लोगों को वापस जाना पड़ा। यहां पर साऊदी अरेबिया....(स्यवधान)....

SHRIMATI JAYANTHI NATARA-JAN (Tamil Nadu): Sir, how is it connected with the statement? They are talking about everyting. We will also talk about everything. I will talk about Gujarat. I will talk about what is happening in various parts of the country. (Interruptions)

प्रो॰ विजय कुमार मल्होत्राः सर, मै यह कह रहा हूं(व्यवधान)....

MR. CHAIRMAN: I Think the statement of the Minister is very particular. You confine yourself to the statement.

प्रो॰ विजय कुमार मल्होत्रा: जिसके बारे में आपित की जा रही है और यह कहा जा रहा है कि बंगलादेशियों को वहां भेजा न जाए। ...(ट्यवधान)...

श्री सभापति: डिटेल में मत जाइये Confine yourself to Mumbai.

प्रो॰ विजय कुमार मल्होत्राः देश के अंदर महाराष्ट्र सरकार जो कर रही है ...(ध्यवधान)...

श्री खान गुफरान जाहिदी: स्कूल के बारे में जो बात की है(व्यवधान)....

PROF. VIJAY KUMAR MALHOT-RA: It is a PTI news.

SHRIMATI JAYANTHI NATARA-JAN: Sir, who will say, "It is true"? (Interruptions) Who will say, "It is true"?

प्रो॰ विजय कुमार मल्होत्राः यह पीटीआई की रिपोर्ट है और उसके हैड पर दी गई है।

श्री सभापतिः जो होम मिनिस्टर की स्टेटमेंट है उसपर सीमित रहिये। Confine yourself to the statement.

प्रो॰ विजय कुतमर मल्होजाः अगर बंगलादेशियों के वापस भेजने की कार्रवाई पर कोई आपित होती है क्या उसके बाद भी वे उस कार्रवाई को जारी रखेंगे? साऊदी अरेबिया ने अपने यहां से दो लाख बंगलादेशियों को निकाल भेजा। क्या महाराष्ट्र सरकार को भी नहीं भेजना बाहिए?(व्यवधान).... महाराष्ट्र सरकार को कार्रवाई

करनी - चाहिए (व्यवधान).... Shouldn't the Maharashtra Government do it?

श्री सभापतिः खत्म हो गया नीलोत्पल बसु।

PROF. VIJAY KUMAR MALHOTRA: Saudi Arabia has sent back two lakh Bangladeshis. (Interruptions)

श्री संजय निरूपमः बंगलादेशियों से इतना प्यार क्यों है?....(ट्यवधान)....

श्री सभापतिः आप बैठिये, आप बैठिये। नीलोत्पल बस्।

Now, Shri Nilotpal Basu will speak. (Interruptions) Nobody else will speak. (Interruptions)

SHRIMATI JAYANTHI NATARA-JAN: Sir, he is asking, "Why do you have love for Bangladeshis?" He is saying that you have love for Bangladeshis (Interruptions)

SHRI JIBON ROY (West Bengal): Sir, (Interruptions)

MR. CHAIRMAN: Nothing will go on record. (Interruptions)

I agree with you(Interruptions)...

Nothing will go on record.
....(Interruptions).... Please.
....(Interruptions).... Nothing will go on record.(Interruptions).... Please sit down.(Interruptions).... Please sit down.(Interruptions).... Mr. Jibon Roy, please sit down(Interruptions)....

SHRI JIBON ROY:

SHRIMATL JAYANTHI NATARAJAN:

SHRI MD. SALIM:

MR. CHAIRMAN: Mr. Jibon Roy, please sit down. Mr. Nirupam, when you say something, they will respond to it. This is not a good thing. As I said earlier, let everybody make his viewpoint. Please allow him to speak. We should hear him. Please don't interfere. They were good enough not to interrupt you in spite of their reservations.

प्रो॰ विजय कुमार मल्होत्राः सर, कितनी बार खड़े हुए हैं सारे लोग। MR. CHAIRMAN: Shri Nilotpal Basu. 2.00 p.m.

SHRI NILOTPAL BASU (West Bengal): Sir, first of all, we welcome that the Home Minister has come out with a statement though I must concede at the very outset, that we are very unhappy with the statement, not because we do not agree with many of the points but becasue a sheer contempt parliamentary proceedings has been shown in the statement. I start from the very first line of the statement. It says: "Various reports have appeared in the deportation media regarding Bangladeshi nationals from Maharashtra." I would like to draw your attention to the Special Mention that I made in the House on 23rd of this month, that is, last week. That was specifically on this particular issue. The fact that this issue had been raised in the past in Parliament itself, in both the Houses, and that the hon. Members belonging to both the Houses of Parliament were meeting the hon. Home Minister and they were trying to communicate with the hon. Prime Minister, all these do not find mention while the Government is responding to the issue. This is most unfortunate and it smacks of uttar contempt for Opposition and Parliamentary processes. I am sorry to say this. So far as the statement itself is concerned, it has acted as a conduit for sharing information with the House, information which is passed on by two respective State Governments, namely the Government of Maharashtra and the Government of West Bengal, save for a small portion in para 4 where it states:

"Procedure for detection and deportation of illegal Bangladeshi immigrants mentioned in para 2 above is being followed by Maharashtra and other States based on which such illegal immigrants are regularly being deported." Now, it appears from the statement that this is the observation of the hon. Home Minister. Therefore, my first question is: Is the hon. Home Minister, by this,

contradicting the statement of the West Bengal Government that there is a prima facie case that quite a few number of people who were sought to be deported are bona fide citizens of the Republic of India? My second question is: Is the Government of India aware of the fact that the West Bengal Government is not opposed to deportation of Bangladeshi nationals illegally infiltrating into this country as such? I would like to know whether the Government is aware of this because nowhere has it been mentioned the statement that while communicating with the Maharashtra Government, the West Bengal Government had also made itself very, very clear that the West Bengal Government, in principle, had nothing against deportation of Bangladeshi nationals as such. I am given to understand that the communique that is there between the West Bengal and the Maharashtra Governments, has ended saying and I quote: "Be it as it may, we, on our part, wish to assure you of our full co-operation and our assistance of highest consideration." Is the hon. Home Minister aware of the fact that the basic that the West Bengal opposition Government had expressed was about the manner in which the whole issue was being handled by the Maharashtra Government in the sense that the fact that the Kurla Express was coming, the fact that the so-called deportees were being brought that could create a situation which would endanger the law and order situation and which could have resulted in Mumbai's police opening fire. I mean, that all these things could have happened was not made known to the West Bengal Government at all. There was no prior inforamtion. Is the Home Minister aware of this fact? Then, I come back to that portion in para 4 which I referred to earlier. The Government has concluded that the procedure for detection and deportion of illegal Bangladeshi nationals mentioned in para 2 above is being followed by Maharashtra and other States based on which such

illegal immigrants are regularly being deported."

Mr. Chairman, Sir, with your kind permission I quote some Indian citizens from West Bengla, who have spoken to the Press. It has come in an article, "Bengalis Live Through Nightmare", in the Asian Age of today. One person said, "I have all the papers. I can prove that I am an Indian. When I show the Gram Panchayat certificate. mv school certificate and my Ration Card to the Police, they say these can be bought for ten rupees. I have my Voter's Identity Card too, but the Police does not accept This is ridiculous. These are documents issued by the Government in this country. How can the police say that my documents are false?" Is the Government aware of such cases? Is the Government aware that there are such individuals who, in spite of their best efforts and even after producing the kind of documents that have been mentioned here, are having their bonafides being challenged? He goes on to say, "The Police wants Birth Certificates, which most of us don't have. The rule regarding registration of birth came into effect in West Bengal thirteen years ago. I was born before that. I am 28 now. I don't have the Birth Certificate. But I do have the certificates issued by the Gram Panchayat and some other documents showing that I am from West Bengal. Aren't these proof enough of my identity?" Sir, I would like to ask, through you, the hon. Home Minister whether he is aware of this kind of a situation. I would like to ask the Home Minister because this is the version of those who are being alleged to be not Indians. But yesterday one private TV channel transmitted the news in which there was a clipping where a very highranking Police officer of Mumbai Police himself conceded that the procedure that was being followed in Bombay was that the Police picked the people, kept them in Police custody and that the verification of their status, whether they are bonafide

Indian citizens, had to be conducted during the period of their confinement in the Police custody. Is it true or not? The Police officer was stating that any person facing such allegations can have his legal representative plead his case. Sir, earlier also in my Special Mention and now here, we have mentioned time and again that the so called controversial people are mainly the zari workers. Not many people know that it is from those districts of Bengal that these people work in zari industry, in diamond polishing industry and they do small jobs. So, I would like to know whether the Home Minister is aware of the execution of this particular provision of the Foreigners Act, that the onus of proof is on a person of such poor background through legal representatives. Is this the contention of the Government of India?

I would also further like to ask that certain statements are being made by the Government of Maharashtra about what the procedure is. We have absolutely no disagreement about the procedure because Article 3C(2) which is being referred to States says, "...shall, if he has been required by order under this section not to remain in India, meet from any resources at his disposal the cost of his removal from India and of his maintenance there in pending such removal". There is no actual procedure laid down. How is the Government assured that the stipulations actually laid down formally on paper are being actually implemented? I would like to know whether the Government of India has any mechanism for monitoring whether what the State Government is saying is factually true or not. Sir, we are dealing with a situation where a wrong identification could actually lead to a situation where there will be abrogation of Article 14 and 15 as enshrined in the Constituton which protects an individual from discrimination on the basis of religion and language, etc. etc. So, the significance of this issue is that any wrong, any mistake on its part will lead to the abrogation of fundamental right that is enshrined in the Constitution. Here, Sir, I would like to quote from a Supreme Court Order which was passed by hon. Justice Sabyasachi Mukherjee in 1990. It was in the Gurbachan Singh v/s Satpal Singh case, AIR 1990, serial number 201, and there he observed. "The courts must strictly be satisfied that no innocent person, innocent in the sense of not beig guilty of the offence for which he is charged, is convicted even at the risk of letting off some guilty person". Sir, I underline the words 'even at the cost of letting off some guilty persons'. Sir, I understand that the basic jurisprudence in this country is based on this principle only. So, does Government of India realise implication if there is false nabbing identification in illegal Bangladeshis? That is what I would like to know from the hon. Home Minister.

Finally, Sir, we would like to say that this is not really a very good kind of situation, slanging match between two State Governments. I want to know whether the Government of India will intervene, whether there will be such statements by responsible Chief Ministers, Deputy Chief Ministers that Communists are unpatriotic; they are betrayers and they should be driven out of this country; they are defending Bangladeshis; they are defending illegal immigrants. Sir, the entire contention is... ... (Interruptions)... We have placed on record the view of the Government of West Bengal.

Does the Home Minister think whether we are talking of national unity...

प्रो॰ विजय कुमार मल्होत्राः ज्योति बसु जी ने जो कुछ कहा, सोमनाथ चटर्जी ने जो बार्ते कहीं...(व्यवधान) क्या वे भी रिकार्ड में आएंगी?

SHRI NILOTPAL BASU: Sir, I am not naming anybody. He is bringing in the names of those who cannot defend theselves. ...(Interruptions)...

श्री मोहम्मद सलीमः महाराष्ट्र में जो सरकार है ...(व्यवधान)

MR. CHAIRMAN: Please sit down. ...(Interruptions)... Please sit down. As long as Shri Nilotpal Basu does not yield, nobody has a right to speak. ...(Interruptions)... He is winding up. ...(Interruptions)...

SHRI JOHN F. FERNANDES (Goa): He is in the other House. He cannot defend himself here.

प्रो॰ विजय कुमार मल्होत्राः मेरा प्वाइंट आफ आईर है, उन्होंने जोशी जी का नाम लिया, मुंडे साहब का नाम लिया They are not here. ...(Interruptions)...

SHRI NILOTPAL BASU: I have not mentioned anybody's name, Sir. I have not named Mr. Munde. He is naming him ...(Interruptions)... The Chairman is there to see whether I am digressing from the rules or no. ...(Interruptions)... Don't act as self-appointed chairman of the House. Sir, therefore, I am concluding with a very sad not and I would like ...

प्रो॰ विजय कुमार मल्होत्राः यह तो आप ही की मोनोपोली है ...(व्यवधान)

SHRI NILOTPAL BASU: What is this? I did not interrupt him.

MR. CHAIRMAN: Mr. Basu, why do you respond to him?

SHRI NILOTPAL BASU: So, Sir, I conclude with a very sad note and put this question sincerely from the bottom of my heart of the Home Minister whether the Government of India will really intervene in a non-partisan manner to see to it that this kind of unseemly developments don't create that kind of a friction between two elected State Governments that the unity and integrity of this country is endangered.

श्री संघ प्रिय गौतम (उत्तर प्रदेश)ः आखिर में सही बात कही है।

MR. CHAIRMAN: Shri Gurudas Das Gupta.

प्रो॰ विजय कुमार मल्होत्राः सर, कितने मिनट हैं इनको पहले बता दें।

MR. CHAIRMAN: He knows ... (Interruptions)... Mr. Gurudas Das Gupta, he wants me to tell you as if you do not know. ... (Interruptions)...

SHRI GURUDAS DAS GUPTA (West Bengal): Sir, the situation as it exists today in the country is centring around the issue of so-called illegal Bangladeshi immigrants. Sir. it has become too serious and extremely critical. I say that it is critical because two State Governments have two different perceptions on an important issue. If the perceptions of two State Governments differ on such an issue. should the Central Government take a stand as they seem to have taken through this statement that they are, in fact, upholding the position of one State Government without making a serious and objective appraisal of the problem? Sir, this is a very serious charge against the Central Government. ...(Interruptions)... It is a very serious charge, if it is allowed to be made, because it is a federal country. The State Government of West Bengal believes that some people who were sought to be deported were Indian citizens. The position of the Maharashtra Government is that all norms are being followed and according to a court verdict they are being thrown out of the country. In such a situation, the hon. Home Minister says that everything is being followed by the Government of Maharashtra and other States as a result of which such illegal immigrants are being deported regularly. It means that he is upholding the position of the Maharashtra Government. Is it being done because of a political affinity? ...(Interruptions)...

SHRI SANGH PRIYA GUATAM: He has said about other States also. ...(Interruptions)

SHRI GURUDAS DAS GUPTA: Sir, it is a very serious point. ...(Interruptions)... It is a wrong thing if this is being

done political for affinity. ...(Interruptions)... If it is being done, then it will have far-reaching effects on the federal structure of the country. The hon. Home Minister and the present Government must realise the serious consequences of the statement that is sought to be made by the Home Minister of the country. This is an important issue because in future many such differences between arise two Governments and the responsibility of the Central Government is to sort out the conflicting problems and not to take a partisan stand. Sir, my opinion is that the Central Government is taking a partisan stand on this issue. Secondly, Sir, everything is sought to be done on suspicion. The most important point is that the Central Government must understand that many things are being done just on the basis of suspicion. Is it a crime to speak in Bengali? ...(Interruptions)... Is it a crime? ...(Interruptions)... Has Bengali been outlawed? ...(Interruptions)... Sir, today morning ...(Interruptions)...

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, he is creating an unnecessary controversy ...(Interruptions)...

SHRI GURUDAS DAS GUPTA: Sir, today morning I received a telephone call from Bombay and some of my friends were telling me that if a group of people standing on a pavement is speaking in Bengali, then the police swoops on them and takes them to the police station. ...(Interruptions)...

PROF. VIJAY KUMAR MALHOTRA: This is a wrong statement. ... (Interruptions)...

SHRI NARENDRA MOHAN (Uttar Pradesh): Sir, he is making a statement which arouses the feelings ...(Interruptions)...

श्री संजय निरूपमः सर, सदन में यह गलत जानकारी दी जा रही है, सही जानकारी यह है कि गृह मंत्रालय की ...(व्यवधान) बंगलादेशी घुसपैठियों और तस्करों के सिर पर हाथ रख कर कौन संरक्षण दे रहा है और पश्चिम बंगाल का ...(व्यवधान) इसी आधार पर मैंने आरोप लगाया कि वाम मोर्ची सरकार बंगलादेशी घुसपैठियों को संरक्षण दे रही है, समर्थन दे रही है। ...(व्यवधान)

SHRI M. VENKAIAH NAIDU: Sir, he is a senior Member. ...(Interruptions)... He should not bring in any such issues which hurt the unity of the country ...(Interruptions)... He should not bring in such issues because it will go against the interests of the country ...(Interruptions)...

श्री संजय निरूपमः सर, पश्चिम बंगाल के एक मंत्री ने ...(व्यवधान)... यह गृह मंत्रालय की रिपोर्ट है। ...(व्यवधान)...

MR. CHAIRMAN: No interruption will go on record ...(Interruptions)...

Nothing will go on record...(Interruptions)... My dear friends, if he does not yield, nobody should get up ...(Interruptions)...

SHRI NARENDRA MOHAN: Sir, I am on a point of order ...(Interruptions)...

MR. CHAIRMAN: What is the point of order ...(Interruptions)...

SHRI NARENDRA MOHAN: Sir, my point of order is, is this House discussing an issue on language controversy or on some other issue? ...(Interruptions)... Are we discussing a language controversy or are we discussing about the deportation of Bangladeshi people? ...(Interruptions)...

MR. CHAIRMAN: That is not a point of order ...(Interruptions)...

SHRI SATISHCHANDRA SITARAM PRADHAN (Maharashtra): Sir, I am on a point of order ...(Interruptions)...

MR. CHAIRMAN: What is your point of order? ...(Interruptions)...

श्री सतीश प्रधान: सर, कोई भी सदस्य यहां अपने विचार रखते समय ...(स्थवधान)... जरा सुन लोगे तो बड़ी मेहरबानी होगी। आप बहुत पढ़े-लिखे होंगे, लेकिन

जब सदन में सदस्य की हैसियत से आकर बैठे हो तो सदन के सदस्य की तरह व्यवहार ...(व्यवधान)...

MR. CHAIRMAN: Mr. Sanjay, now, you should behave like them as they behaved with you ... (Interruptions) ...

SHRIMATI NATARAJAN: * **JAYANTHI**

MR. CHAIRMAN: I agree with you ...(Interruptions)... That is what I am saying ... (Interruptions)... Please sit down ...(Interruptions)...

आप बैठ जाइए, उन्हें खत्म कर लेने दीजिए।

Nobody's remarks, whoever interefers. will go on record ... (Interruptions)... Nothing will ŌΠ record 20 ...(Interruptions)...

SHRI MD. SALIM: *

SHRI SANJAY NIRUPAM: *

SHR!MATI **JAYANTHI** NATARAJAN: *

CHAIRMAN: No ...(Interruptions)... No ...(Interruptions)...

SHRI SATISHCHANDRA SITARAM PRADHAN: *

SHRI KHAN GHUFRAN ZAHIDI: *

CHAIRMAN: No. nothing ...(Interruptions)... No point of order ...(Interruptions)... Now please sit down ...(Interruptions)... What point of order? ...(Interruptions)... No ...(Interruptions)...

SHRI NARENDRA MOHAN: Sir, I raised a point of order under Rule 238(ii) which says, "A Member while speaking shall not make a personal charge against a Member." ...(Interruptions)...

JAYANTHI SHRIMATI NATARAJAN: *

MR. CHAIRMAN: What is your point of order? ...(Interruptions)...

SHRI NARENDRA MOHAN: Sir, he is making an offensive expression about

3

the conduct of hie proceedings of the House and more over, raising a language controversy ... (Interruptions)...

MR. CHAIRMAN: The point of order raised by Mr. Narendra Mohan is under Rule 238 (iii). It says, "A Member while speaking shall not use offensive expressions about the conduct proceedings of the Houses or any State Legislatures." It is out of order. He is not making any reference to anything ...(Interruptions)...

SHRI JANARDHANA POOJARY (Karnataka): Sir, Rule 235 (ix) says, "Whilst the Council is sitting, a Member shall not obstruct proceedings, hiss or interrupt and avoid making running commentaries when speeches are being made in the Council." So, the hon. being obstructed Member is ...(Interruptions)... It is not good ...(Interruptions)...

MR. CHAIRMAN: Mr. Sanjay, I do not know why you are standing up again and again ...(Interruptions)... As far as the point of order raised by Mr. Janardhana Poojary, under rule 235(9), is concerned, it is right. But, my difficulty is that most of the Members daily behave like this. What should I do then? ...(Interruptions)... Please sit down ...(Interruptions)... I can tell you ...(Interruptions)... Please sit down. I can tell you, when he was speaking today, in spite of the provocation they had, they exercised restraint. I must appreciate them. The way they have done is exemplory. Please do not interrupt any of them.

SHRI GURUDAS DAS GUPTA: Sir, if I come back to my submission, my point was that everything is being done on suspicion, without establishing facts and without going through the normal procedure and method of investigation. ask the hon. Mav I Minister ...(Interruptions)...

SHRI NARENDRA MOHAN: It is a judicial pronouncement, Sir. He says that without any facts ... (Interruptions)...

^{*}Not recorded.

MR. CHAIRMAN: Mr. Narendra Mohan, I have just told you that he is speaking, and unless he yields, you cannot interrupt. ...(Interruptions)...

SHRI SANJAY NIRUPAMs Sir, he is denying court orders ...(Interruptions)...

SHRI GURUDAS DAS GUPTA: Sir. I am not denying ...(Interruptions)... What is this, Sir? ... (Interruptions)... I am only referring to the statement made by the Government of West Bengal. The Government of West Bengal is saying is that those who have been deported. include a number of Indian citizens. belonging to some districts of West Bengal. So, on this basis, I come to the conclusion that what the police is doing there, is definitely being done on the basis of suspicion, without any proper investigation and collection of evidences. May I point out here, who does not know the police of this country. The police works under nobody anywhere. The police has been acting against the provisions of law in most of the cases. Therefore, I have a suspicion that the Bombay police is also acting against the provisions of law, and that is the stand taken by the Government of West Bengal ...(Interruptions)...

SHRI SANGH PRIYA GAUTAM: Sir, I am on point of order. ...(Interruptions)...

MR. CHAIRMAN: Under which rule is your point of order ...(Interruptions)... Under which rule ...(Interruptions)... No, no point of order ...(Interruptions)...

SHRI SANGH PRIYA GAUTAM: Sir, it is not under any Procedural Rule. It is based on logic ...(Interruptions)...

MR. CHAIRMAN: You have to refer to the Rules of Procedure, and not your own rules ...(Interruptions)...

SHRI GURUDAS DAS GUPTA: Sir, when we are discussing a serious human problem, which affects the federal unity of this country, let me expect that all of us will be less sarcastic, and all of us will be more attentive to this serious human

problem. Let us not be sarcastic, let us not sling mud, let us try to know what are going to be the implications of it because the Government of West Bengal is saying that citizens of India, living in West Bengal, are sought to be deported in the name of foreign infiltrators. That is the charge. My short point is that the law should take its own course in the case of those who are illegal immigrants, whether they are in Delhi, whether they are in Bombay, whether they are in Nagpur. There is no controversy on that. But, the point is, a bogy of Bangladeshi infiltrators, on the basis of suspicion, is being deliberatly faunched, is being deliberately raised because of certain other bias, without confirming who is a estizen of India and who is not a citizen of India. Sir, a statement has been made, you will kindly recollect, that 38,000 Bangladeshis are there in India. Somebody is saying that 1.5 crore Bangladeshis are there in India, who are without valid documents. Who made this assessment? I would like to know from the hon. Minister if there is any confirmation of this allegation that there are 1.5 crore people, who do not belong who have come from India, Bangladesh ... (Interruptions)...

MR. CHAIRMAN: Please do not interfere. ...(Interruptions)...

SHRÎ GURUDAS DAS GUPTA: I do not know. ... (Interruptions) ... Again, Sir, this is not the way the House should function. I am not putting the question to the hon. Member from the ruling party. My question is being directed to the hon. Home Minister. Let him confirm. And what is the basis? Because it is being said that a birth certificate can be procured. for Rs. 5. It is being said that the electroal identity card can also everything can purchased. If be purchased and sold in this country, then there is no basis for discussion. ...(Interruptions)... There is no basis. Then it is the police report which I have to believe. The only alternative fol me is to believe the police report. And if the

police so reliable in this country? Wherever it may be, even in West Bengal, even in Delhi, we have to believe only the police report. If this statement is to be accepted, then the hon. Home Minister has indirectly said, believe the police report only; because, in the background of the allegations all these documents can be purchased. What is the truth? The truth is that thousands of Muslim vouth have somehow been able to get expertise in certain types of works. Polishing of diamond, ornamentmaking and stitching of embroidery. They have somehow inherited this particular heritage, this particular expertise. They live in some States, in some districts of West Bengal and to find work they go to other States. That is there only fault. There is a problem of unemployment. Therefore, they are doing these jobs in other parts of the country. My charge is, my suspicion is that ...(Interruptions)

MR. CHARIMAN: You are saying final and after that final again ... (Interruptions)

SHRI GURUDAS DAS GUPTA: These people are sought to be uprooted. That is where my concern is. As a citizen of this country; as a person who is a resident of West Bengal and as a representative of the people of West Bengal in this hon. House, I have every right to express concern that my people are being harassed because they speak Bengali. My people are being harassed because they work in Maharashtra; my people are being harassed because they work in Delhi. Should that be allowed? If any witch-hunting is allowed against the Bengali workers then Sir, it is going to have very serious repercussions in the national political scenario of the country. People should behave with responsibility. The Government must behave with responsibility, it is not by accepting the police report that the Government can behave in a responsible way.

Lastly, Sir, I only wish to warn that if these wild allegations are made, if somebody raises the issue of illegal

deportation, should the accusation be hurled that you have love for the people of Bangaldesh? What is the harm? I have love for the people of Bangladesh, I was born in Bangladesh before the country was partitioned. I have love for the people of Bangladesh. I have love for Bengali language. I have love for my young Muslim workers who do work in different parts of the country. I have love for them. Is that a crime? That is not the issue. The issue is whether they are militants or some Indian citizens who are being illegally deported. In some cases they are being ilegally deported, but not all. And the police is behaving in an indiscriminate way in a high handed way. People are just picked up from their residences in Bombay. People are being arrested from slims. People are being picked up from anywhere they like.

Sir, there is another aspect. It is being openly said that if you pay Rs. 500, you will be let off. Those who are not paying Rs. 500, they are being challaned. That is the real story. There is also the corruption aspect. We know what Delhi Police is? We. know what Bombay police is. ...(Interruptions)

श्री संघ प्रिय गौतमः सारी पुलिस को बदनाम करना सही नहीं है।(व्यवधान)

SHRI TRILOKI NATH CHATURVEDI (Uttar Pradesh): The entire police force cannot be blamed. (Interruptions) There are good people. There are bad people (Interruptions) The entire police force in the States should not be blamed. It is very incorrect. (Interruptions)

MR. CHAIRMAN: Please sit down. If you had listened to Mr. Gurudas Das Gupta's speech for the last fifteen minutes, you would see that he had not only criticised the Bombay Police; he criticised the West Bengal Police also.

SHRI GURUDAS DAS GUPTA: Yes, Sir. (Interruptions)

MR. CHAIRMAN: He has not only criticised the Bombay Police, he has criticised the police of other States also. (Interruptions)

SHRI TRILOKI NATH CHATURVEDI: The entire police force cannot be blamed; whether it is West Bengal, whether it is Maharasthra. I think, this is not the way. (Interruptions)

MR. CHAIRMAN: Not wholesale.

SHRI GURUDAS DAS GUPTA: Not wholesale, Sir. (Interruptions)

SHRI TRILOKI NATH CHATURVEDI: Sir, he said: 'We know what Bombay Police is' (Interruptions)

SHRI GURUDAS DAS GUPTA: Sir, I restate that corruption is prevalent in the police administration everywhere; not excluding West bengal, not excluding Delhi, not excluding Maharashtra. My point is...

MR. CHAIRMAN: Now, finish it.

SHRI GURUDAS DAS GUPTA: Sir, people are being deported from Maharashtra at different points of time. At one point of time, South Indians were sought to be deported. (Interruptions)

MR. CHAIRMAN: Please don't .go into that. Please sit down. Mr. Pranab Mukherjee, please. (Interruptions)

SHRI V.P. DURAISAMY (Tamil Nadu): It is correct. South Indians were deported. (Interruptions)

SHRI S. VIDUTHALAI VIRUMBI (Tamul Nadu): Ten yeas before, South Indians were deported by the Shiv Sena people (Interruptions)

श्री संजय निरूपम महोदय,(व्यवधान)

SHRI PRANAB MUKHERJEE (West Bengal): Let me speak. (Interruptions) Please sit down. (Interruptions) This is not fair. (Interruptions) Sir, you have called me. (Interruptions) Let him take his seat. Please take your seat. (Interruptions)

MR. CHAIRMAN: Mr Pranab Mukherjee, please. (Interruptions)

SHRI PRANAB MUKHERJEE: This is very unfair. If things go on like this, how can the House funciton? (Interruptions)

MR. CHAIRMAN: Mr. Nirupam, please sit down. I have called Mr. Pranab Mukherjee. He will speak and nobody else. (Interruptions)

SHRI PRANAB MUKHERJEE: Mr. Chairman, Sir, (Interruptions)

MR. CHAIRMAN: Nothing else will go on record. (Interruptions) Mr. Pranab Mukherjee.

SHRI PRANAB MUKHERJEE: Mr. Chairmant, Sir, most respectfully, I would like to tell Mr. Sanjay Nirupam. (Interruptions) Please sit down. I am not yielding. Please take your seat. Sir, please ask him to sit down.

MR. CHAIRMAN: Whoever speaks without my permission; nothing will go on record. Shri Pranab Mukherjee.

SHRI PRANAB MUKHERJEE: There must be a limit to all these things.

SHRI SANJAY NIRUPAM: What is the limit? (Interruptions)

MR. CHAIRMAN: Nothing else will go on record. Please sit down, Mr. Nirupam. (Interruptions) I have said. Nobody else will speak (Interruptions) Please sit down. (Interruptions) Please. (Interruptions) I have called Mr. Pranab Mukherjee. Mr. Pranab Mukherjee can only speak. Anybody else should not be reported at all. (Interruptions)

SHRI PRANAB MUKHERJEE (West Bengal): Mr. Chairman, Sir, unfortunately, on a very important, critical, issue, unnecessary heat has been generated. Of course, every member has the full right to express his own views. In Parlaimentary procedure, interruptions are permitted, provided the Member who is speaking yields. But surely, it is not the business of anybody to take the House for granted, or, hold it to ransom.

Sir. I would like to draw the attention of the hon. Home Minister by referring to his statement which he has made. According to his statement, procedure has been followed by the Maharashtra Government. A person identified as a foreigner has been produced before the Metropolitan Magistrate. On the basis of the order of Metropolitan Magistrate, competent authority has been authorised to deport the alleged illegal immigrant.

I would like to know this from the hon. Minister. When such cases take place, there is a set procedure. I find from the list which I have, that a large number of persons alleged to be illegal migrants, have given their addresses, permanent addreses of their stay before they came to Mumbai, in some parts of West Bengal. When this due process was going on, I want to know whether the Maharashtra Government has ascertained from the West bengal Government authoritatively the veracity of the statements of these persons who were alleged to be illegal migrants according to your information but who have given their permanent addresses in West Bengal. This is the between the two normal practice Governments and between the two police forces. I want to know from the hon. Minister whether the Maharashtra Government has ascertained from the West Bengal Government the veracity, authenticity of the statements made by these persons who have been deported in three batches, which they must have deposed before `the Metropolitan Magistrate. I want to know this because I find that there are a large number of persons who are from districts which are part of West Bengal.

Number two, in the context of the hon. Minister's statement, I want to know this from him. He has said that the police officers who were accopmpanying the deportees were carrying the orders of the competent authority signed by one Deputy Commissioner of Mumbai. I want to know whether they were also carrying the order of the Metropolitan Magistrate,

on the basis of which they got the authority, and whether they produced that order of the Magistrate along with the order of the Deputy Commissioner, when they were confronted with the persons who challenged them.

In this connection, recently I had been to Mumbai. My friend, Mr. Pritish Nandy is there. He will bear with me that Bangladeshis could be easily identified because the language which a West Bengali speaks is totally different from the language which a Bangladeshi speaks. Any Bengali-speaking officer of the Maharashtra Governemnt can identify from the dialect and the pronounciation of a bengali-speaking person whether he belongs to this part of bengal or he belongs to that part of Bengal. Frankly speaking, Sir, I myself do not understand much of the language spoken by the common peope of Bangladesh. I am not talking of the educated and sophisticated people who have accepted a common language. The persons concerned are primarily manual workers. They speake in their native language which could be easily identified by any Bengali-knowing person. It can be identified whether one is coming from that side of the undivided which пож called Bengal, is "Bangladesh", or one is coming from West bengal. These people who have given their addresses, belong to rural areas of West bengal. Their dialect, their pronounciation is totally different from that of the people of East Bengal which is now called "Bangladesh". The third point to which I want to draw the attention of the hon. Minister is that this is a real human issue, a basic human issue. Somebody asked why we have love for Bangladeshis. Yes, we have love for Bangladeshis. As a student of History, I cannot forget the contribution of the undivided Bengal in the freedom struggle of this country. There are families after settled which have families Bangladesh. Not one but two, three, four, five of them spent their lives in the Andaman Cellular Jail. Those people are also technically Bangladeshis today. We

cannot forget the commitment which was made 50 years ago to the people of now-Bangladesh, the then East Pakistan, that borders of India will remain open for them. We should not forget the very basic fact that unlike the western part of India, the refugees from Bengal came not only in 1947, but from 1947 to 1971 and that was the cut-off date. Therefore, it was decided after an agreement with the then Bangladeshi Government headed by sheikh Mujibur Rahman, that those who are coming after 1971, will not be allowed citizenship of the country. These part of history. These commitments of the Government of India. Therefore, simply because somebody is speaking a particular language, I am assuming, that he will be suspected as a bangladeshi is not correct. This is a matter of commonsense. The type of particular work in which these persons are engaged in are nowhere practised in Bangladeshi. Bangladeshi workers did not know how to embroider with Zari. They have no expertise in diamond trade. These are particular skills which are being developed by a section of the West Bengal Muslim workers over the years for many generations. These skills have come down like to carpet weavers of Kashmir or to glass workers of Firozabad. These types of expertise have been developed over generations. know that Bombay has tremendously prospersous diamond trade. So, the people have migrated there. A large number of people have migrated from West Bengal to Jaipur, where they do this work. Therefore, these are the issues, which out to be looked into from a practical point of view. Nobody is going to support that if there is any illegal migrant, he should be allowed to stay in the country. But, it is the job of the Government to detect them to identify them, to put them through the due process of law and thereafter to deport them. There is no denial to the fact. Yes, there is a long border. You cannot erect a wall. Is it possible? Do we have money and resources for the purpose? Even

fencing work in the most sensitive border you have not been able to complete. This is the hard reality. Therefore, there should be BSF and other policing, which normally the State Administration are doing. But, I do not find any reason why should not be' a proper coordination. This is quite normal, routine, administrative affair. Whenever a person is detected, the man gives his address saving that he is not a Bangladeshi but belongs to West Bengal. Then naturally the police will ask his address. he will give his address. So, it will be incumbent on the police to contact his counterpart in West Bengal to say that this is the information that they got. please verify. Ιf Maharashtra Government had followed this course and identified illegal migrants, it would be perfectly satisfying. There will be not querrel. But, at the same time, why did we pass a particular Act in regard to Assam? This Act in regard to entry into India had been in operation since 1946. When we found that the police was misusing and abusing this act, another act was passed in 1981 by this Parliament saying that it is not merely the authority of the police, but it should be the authority of a tribunal presided over by a judicial officer applying his judicial mind, after examining the evailable background and evidences to decide whether he is a genuine citizen or whether he is an illegal immigrant.

by mum.

So, far as the question of carrying papers is concerned, if you ask my birth certificate, I would not be able to produce it. If you ask me, do you have any identify card as a Member of Parlaiment, I would say I have no identity card, because as a citizen, in this country we do not have to carry any identity card. Even we do not carry passport because I never visited outside India, except as a Minister, And whether I visited any part of the world as a Minister, it was the job of the Government to arrange passport for me. I do not carry any permanent passport. So, what is my identity? After one year I

can be identified as a bangladeshi, because though I was not born in Bangladesh, my grand mother was born in Bangladesh and my maternal uncle is there. Therefore, should I be identified as a Bangladeshi as I cannot produce my birth certificate? Many of us hall our education in Bangladesh. If some one produce, his School Leaving Certificate which had been issued by the Dacca Board, they will say, "No, he was not a student of the Calcuta Board. He was a student of the Dacca Board." Dacca is the capital of Bangladesh. These types of arguments are not good. All of us know. that an illegal migration of people is taking place. This issue has been taken up with the Government of Bangladesh. But they have denied it. Who doesn't know about it? We the Members of Parliament are fully aware of the fact that people from smaller countries come to bigger countries. At the same time, we have our own problems. We should not allow it. There should be a sufficient I think it is under consideration of the Home 'Ministry. I am sure, Mr. Advani would take care of it.

At least in border areas, identity cards can be issued to the people. But I know that this is time-consuming. It involves a lot of money. It cannot be done overnight. In the interregnum period he can find out certain mechanism where this law can be applied. For example, the process of detection, the process of identification, the process of verification not by the police, but by a competent metropolitan magistrate can be done; and more so to have contact with the State Government.

Suppose, somebody comes from Sri Lanka and takes shelter in Mambai and gives an address of Tamil Nadu, naturally, it is desirable on the part of the Maharashtra Government to first contact his counterpart in Chennai at the police level and say," "We have received this address. Please confirm whether this address is a genuine one or not." Then, most of the cases can be detected in that process.

This point is not for seeking clarification, but merely a suggestion for action. I would like to know from the Home Minister whether he can consider advising the Maharashtra Government that even at the stage of preliminary inquiry then can deploy some of their own officers. Maharashtra cadre Bengali officers, who. will be able to identify immigrants easily from their dialect and from the information of the person concerned whether he actually belongs to this part or that part. If he belongs to West Bengal, then, prima facie, it is established that he is a genuine Indian citizen. You cannot deny him an Indian citizenship. But one may have been living in West Bengal for three generations and he may not be carrying his birth certificate. Even in West Bengal, if I understand correctly, obtaining a birth certificate compulsorily was introduced only 13 years ago. So, what should I do? I am sixty years old. I don't have any birth certificate. I don't carry it with me. I think these are practical human problems. We should look into the objectives of the law. As I understand it is to identify illegal migrants and to deport them, but not to harass genuine citizens of the country. Therefore, when these issues have come up, let the Home Minister exercise his good offices and solve them. It is not merely a problem between the State of West Bengal and the State of Maharashtra. It can happen between the State of West Bengal and other States also. It is the responsibilities of the State Governments. Τf the Maharashtra Government suspects that these are illegal migrants, why is it not possible for them to take this illegal migrants issue with West Bengal Government? The whole list can be sent to the West Bengal Government. They would be in a better position to find out whether they are illegal migrants or not. Similarly, if I find that there are some illegal migrants coming from neighbouring countries into Maharashtra, it would be easier for the Maharashtra Government to identify whether they are illegal migrants or not. These are practical problems. So, why

can't it be done? Each State Government has been authorised to do so. This is a Central Act. This is not a State Act. The State Governments don't have the inherent right. As per the provisions of the Constitution, as per the provisions of the law, the Central Government has delegated this authority to the State Governments. The State Governments don't have the inherent right of identification of illegal migrants and to deport them. This is a Central Act. This Act has delgated power to all the State Governments. Therefore, for the proper implementation of this Act, the Government of India, particularly, the Ministry of Home Affairs has to discharge its responsibility. We can draw certain lessons from the experiences that we have gained in this case and respond positively to those lessons. If we take corrective measures, I do feel many of the problems can be avoided.

Mr. Chairman, Sir, I thank you for having given me this opportunity to speak.

MR. CHAIRMAN: Shri C.M. Ibrahim. Not there. Shri Joyanta Roy.

SHRI JOYANTA ROY (West Bengal): Thank you, Mr. Chairman. My point is very simple and I think nobody will differ with me on that. The problem of identifying foreign nationals and subsequently deporting them is a common problem. Particularly, we people from West Bengal do believe that it is an impracticable proposition to identify the illegal immigrants from Bangladesh. It is natural that the Government should find out some ways and means to identify the foreign nationals and subsequently deport them. But, Sir, this statement of the hon. Home Minister contains two contradictory paragraphs.

In paragraph 2 of the statement it is stated, "According to the information furnished by the Government of Maharashtra; an elaborate procedure is followed for detection, identification and deportion of illegal Bangladeshi immig-

rants." In paragraph 5, it is stated, "According to the information furnished by the Government of West Bengal, they have informed the Government of Maharashtra that prima facie it has transpired that some of the deportees brought by Maharashtra Police were Indian citizens belonging to some districts in West Bengal." If paragraph 5 is true, then what about the findings Maharashtra Government? It is contradictory. Therefore, we are firm that procedure followed by Maharashtra Government was not proper. As Shri Pranab Mukherjee has rightly pointed out, there should be certain norms. There are historical reasons. We cannot outrightly say, "They people are Bangladeshis, this man belongs to this part of West Bengal".

Sir, already this issue has generated much heat acroos the country, particularly among the Bengali-speaking people. Sir, through you, I would like to have a clarification from the hon. Home Minister. Much heat has been generated and is being generated through the media. Some adverse comments have come up from the highest level of Maharashtra Government that the MLA should be arrested, the MLA who made the blockade in the Chengal Railway station and assembled a huge mob and snatched the deportees. The relationship between the people of Maharashtra and the people of West Bengal is historical. We have no bitter relation. We have had traditionally good relation for centuries together. Therefore, there should not be any comments from the top level Government officials and politicians from Maharashtra, Similarly, some adverse comments have come up in newspapers that some of the veteran leaders of West Bengal have retaliated in a manner which may create some confu 3.00 P.M.

sion saying that if Bengalis are being deported from Maharashtra, then the people of West Bengal will retaliate. This is very bad. I think the tradition of Bengal does not synchronise with this. Therefore, my submission to the hon. Home Minister is, let all this confusion be cleared. And according to our view, our people who have obstructed Chengail Railway Station did not do any crime: what they did, they did it rightly. Therefore, to stop this controversy once and for all, let the Home Minister come forward and take up the issue. If necessary, and inter-State Council meeting should be convened and modalities should be found out to see that in future a repetition of such happenings does not occur.

श्री जनेश्वर मिश्र: नहीं साहब, आपने भी कोई वक्तव्य नहीं दिया। आपने, महाराष्ट्र सरकार ने क्या कहा है, बंगाल की सरकार ने क्या कहा है, केवल इसका रेफोरेंस दिया है। जैसे भारत का गृह मंत्रालय, और दो गुज्यों के बीच में कोई विवाद छिड़ता है तो वह एक मुक-दर्शक है। .. (व्यवधान).. अभी आए अपनी गलती नहीं मान रहे हैं. अभी आप अपनी पोजीशन नहीं मान रहे हैं। दो राज्य सरकारें हमको क्या रिपोर्ट देंगीं? क्या गृष्ट मंत्रालय की कोई अपनी एजेंसी नही है? क्या आप अपनी तरफ से कोई राय बनाकर कुछ नहीं कहेंगे? दो राज्य सरकारों के बीच इस मामले में इस तरह से तनाव पैदा करें यह ठीक नहीं है। मैं न बंगाल की तरफ से बोल रहा हं और न महाराष्ट्र की तरफ से बोल रहा हूं। मैं जानता हूं कि जहां कहीं भी बड़े शहर बसते हैं वहां पर बाहर के लोगों को सताया जाता है। चाहे वह मंबई हो--बाहर का मतलब केवल बंगलादेशी नहीं है. उस शहर के बाहर के लोग। जब वहां नई सरकार बनी. हमारे मित्र लोग नाराज न हो आएं. तो उन लोगों ने कहा

श्री जनेश्यर मिश्र (उत्तर प्रदेश): सभापित जी, पहले तो मैं अपना अफसोस खाहिर करता हूं कि इस बहस को बंगाली बनाम मग्रठा बना दिया गया है। सभापित जी, दूसरी बात यह है कि करनकता हाई कोर्ट में अभी यह मामला विचाराधीन है। अभी अंतरिम आर्डर हुआ है, फाइनल आर्डर नहीं हुआ है। मेग्र ख्याल है कि हम लोग जो कुछ भी बोल रहे हैं यह हाई कोर्ट के कार्य को प्रभावित करेगा क्योंकि यह सदन अपने आप में बहुत बड़ी संस्था है। साथ ही यह मौजूं समय नहीं था कि गृह मंत्री जी यहां पर यह वक्तव्य देते। जब अदालत में मामला हो तो गृह मंत्रालय की तरफ से.....

भी लाल कृष्ण आडवाणीः मुझे आदेश हुआ था। था कि मुंबई से बाहर रहने वाले लोगों को अलग से पासपोर्ट लेना पड़ेगा। इस पर बड़ा बावेला मचा था। ...(व्यवधान)... इसी सदन में हम लोगों ने झगड़ा किया था. हम जानते हैं। समापित जी....

श्री सतीश प्रधानः सर, बोलने की अनुमति है इसका मतलब यह नहीं है कि कुछ भी बोलें।

श्री सभापतिः आप सबजेक्ट पर बोलिए। आप क्लेरीफिकेशन पुछिए।

श्री सतीश प्रधान: यह कहना कि लागों को बाहर निकालने की बात कही, ये आपस में झगड़ा कराने की बात कर रहे हैं। क्या आप यही चाहते हैं?

प्रो॰ रामगोपाल यादव (उत्तर प्रदेश)ः नाराज क्यों हो रहे हैं?

श्री सतीश प्रधानः आपस में झगड़ा कराने की बात मत कहिए।

श्री जनेश्वर मिश्रः वहां के एक सशक्त नेता की तरफ से यह कहा गया कि मुंबई में जो लोग बसने के लिए आयेंगे, वे मूल मुंबई के रहने वाले हैं या नहीं, इसकी जांच होगी। अब मैं किसी का नाम नहीं लेना चाहता ...(ट्यवधान)... यह संकुचित मानसिकता है। यह दिल्ली में भी होता है, यह कलकत्ता में भी होता है, यह केन्द्र में भी होता है, यह केन्द्र में भी होता है।

श्रीमती जयन्ती नटराजनः चेन्नई में नहीं होता है।

श्री जनेश्वर मिश्र: लेकिन जब कभी भी कोई बाहर का आता है, बंगलादेशी, जिसको लेकर के बवाल मचा है. अभी बंगेलादेशी की प्रधानमंत्री यहां आई थीं। हमारे प्रधानमंत्री जी से उनकी लम्बी वार्ता हुई थी। बंगलादेश की प्रधानमंत्री पिछले दिनों भी आई थी, जब यहां मोर्चा वाली सरकार थी उन दिनों गंगा नदी के पानी के बटवारे के सवाल पर भारी बात हुई थी। हम को अच्छी तरह से याद है कि वह पानी का बंटवारा जब हल हुआ तो हमाके बिहार के साथी हमारी आलोचना कर रहे थे और कह रहे थे कि तम बंगलादेश के दलाल हो. जिस तरह की भाषा आप बोल रहे हैं, उन्होंने कहा कि क्या बंगलादेश से लव करते हो. यह भाषा हम बहुत पहले सन चके हैं। इस समय अटल बिहारी वाजपेयी जी ने हैदराबाद हाऊस में दावत में पूछा कि क्या बंटवार किया तो हमने कहा कि फिफटी-फिफटी। उन्होंने कहा कि ठीक किया। अभी प्रधानमंत्री जी आई थीं। यह सवाल वहां क्यों नहीं रख दिया गया? प्रधानमंत्री जी की तरफ से रखा जाता, किसी दावत के समय रखा जाता कि तुम्हारे देश के बहुत से लोग हमारे यहां आ गए हैं इनको अपने देश में वापिस बला लें। वैसे मैं इस राय

का नहीं हं। निजी तौर पर मैं इस राय का हं कि बंगलादेश कितने दिन पहले हमसे अलग हुआ है? 50 साल पहले। उसके पहले तो हमारा भाई था. जो सेंटीमेंट प्रणब मखर्जी जी ने जाहिर किया, गरुदास दासगप्ता जी ने जाहिर किया। मान लीजिए अगर घर के भाई के पास रहने के लिए छप्पर नहीं है, बरसात के दिनों में आ कर हमारी खपौल, छप्पर में आ कर लेट जाए तो हम उसे घसीट कर बाहर कर दें? यह तो सोचने का ढंग है। उनमें से कोई आतंकवादी नहीं आया बंगलादेश से। लेकिन अब जो पता लगाया गया वह बंगलादेशी थे ही नहीं। वह ज़री का काम करने वाले. हीरे के कारीगर पश्चिमी बंगाल के रहने वाले हैं। उनको जबरदस्ती यहां से बाहर भगाने की कोशिश की जा रही है। यह संकचित मानसिकताएं राष्ट्र के पैमाने पर अगर बनी रहेंगी तो गह मंत्री जी डोडा के सवाल पर परे सदन ने हालांकि सब के दिल जख्मी थे, किसी ने कड़ी भाषा का इस्तेमाल नहीं किया। सब ने सदाशयता का परिचय दिया। सब ने, सम्पूर्ण विपक्ष की तरफ से आप के पक्ष की तरफ से भी आपके हाथों को मजबत करने की बात कही थी। यह दिलों को चौड़ा करने वाली बातें होती है। वरना हम पहले विपक्ष में बैठते थे. आप भी बैठते थे. इस तरह की घटना होती थी तो उस समय के गृह मंत्री का सीधे-सीधे इस्तीफा मांग लेते और वहां से बैठ कर कहते थे कि क्योंकि हमारी जान माल की हिफाजत करना आपका काम है। लेकिन जज्बे भरे हुए थे. लोग मारे गये थे. सबने एक भाव को जाहिर किया, सभापति जी ने भी कहा कि पहली मर्तबा उन्हें इस तरह का जज्बा देखने को मिला है। लोग जोश में हैं, साथ है। प्रधानमंत्री जी को कोलम्बों में खबर करने को आपको कहा गया और आपने आश्वासन भी दिया। उस वातावरण को संकीर्णता के दायरे में फर्सा कर अगर हम एक दसरे के खिलाफ हो हल्ला मचाएंगे तो मश्किल में पड़ जाएंगे। आपने अपने बयान में भी पढ़ा है कि महाराष्ट्र की सरकार ने उन लोगों को दो तीन खेर में कहां भेजा है, वेस्ट बंगाल भेजा है। ढाका क्यों नहीं भेजा? अगर कोई विदेशी नागरिक है, उसको देश के बाहर जाना है तो क्या देश के दूसरे सबे में जाएंगे? उनको ढाका जाना चाहिये था। वह शायद महाराष्ट्र की सरकार के बस की बात नहीं थी। सीधे बंगाल भेज दिया। वहां आ कर उन्होंने कहा कि यह गांव हमारा है. फलां के बेटे हैं, फलां वाला गांव हमारा है, हम तो जरी का काम करने के लिए हीरे का काम करने के लिए वहां गए थे। वहां की सरकार इनका नोटिस लेती है कि हमारे गांव का बेटा मुम्बई नहीं जा सकता। संविधान नहीं कहता कि हिन्दुस्तान में कहीं भी पैदा हुआ किसी भी

स्थान पर जा कर काम कर सकता है, क्या इसकी भी इजाजत नहीं रहेगी। आपकी पुलिस, कहां की पुलिस क्या करती है, उस पर दोष: नहीं देंगे?

श्री लाल कृष्ण आडवाणीः महोदय, यदि वक्तव्य में स्पष्टता नहीं रही तो मैं कह दूं कि उन्होंने बेस्ट वंगाल के लिए नहीं भेजा। वे तो वेस्ट बंगाल की सीमा पर जा रहे थे और बी॰एस॰एफ॰ को सुपुर्द करने वाले थे लेकिन पिश्चमी बंगाल की पुलिस ने आग्रह किया at the instance of West Bengal Police, उनको सुपुर्द किया क्योंकि वह झगड़ा नहीं करना चाहते थे।

SHRIMATI JAYANTHI NATARA-JAN: Sir, you have stated that they have been deported to West Bengal, not to Dhaka.

SHRI L.K. ADVANI: Yes, I haved stated that they have been deported to the border to entrust them to the BSF on the border, not to Dhaka.

श्री जनेश्वर मिश्र आपका जो वक्तव्य आया है गृह मंत्री जी, वह आया है कि उन सबको पश्चिम बंगाल भेजा गया आप पढ़ लीजिए उसकी भाषा ...(ट्यवधान)...

श्री लाल कृष्ण आडवाणीः पश्चिम बंगाल की सीमा पर जाते हुए उनको रोका गया।

श्री जनेज्ञ्चर मिश्रः इस तरह का वक्तव्य अगर भारत सरकार के गृह मंत्रालय की तरफ से आएगा तो पश्चिम बंगाल के साथ अन्याय होगा। यह किसी भी राज्य के साथ अन्याय होगा। यह महाराष्ट्र सरकार की तरफ से आता या पश्चिम बंगाल सरकार या उसके सचिवालय की तरफ से आता तो मैं ऐतराज नहीं करता। वे पत्र-व्यवहार चल रहे हैं। लेकिन केन्द्र सरकार का काम होता है कि उसमें दखल दिया जाए। किसी भी देश के विदेशी नागरिक को बाहर करने का अधिकार संविधान के तहत केन्द्र सरकार को दिया गया है। अभी यह प्रणब मुखर्जी साहब भी कह रहे थे। वह अपना अधिकार आपने राज्य सरकारों को टे दिया कि फला-फला कानन के तहत करो। हमारे एक शिव सेना के साथी ने कहा कि यह सन् 1920 और 1946 का कानन है। उस समय बंगलादेश नहीं बना था। उस समय पाकिस्तान नहीं बना था। तब के ये कानून है...(व्यवधान)...

श्री संजय निरूपमः उस कानून में कई संशोधन हो चुके हैं। श्री जनेश्वर मिश्रः उस तरह से सड़े हुए कानून का हवाला देकर ...(व्यवधान...) संशोधन हो चुके हैं। संविधान भी उसके बाद बदला...(व्यवधान)...

श्री संजय निरुपमः कानून को सड़ा हुआ नहीं कहते। शब्दों का इस्तेमाल जरा ढंग से किरए ...(व्यवधान) अपने की कानून को आप बोलेंगे कि सड़ा हुआ कानून है ...(व्यवधान)... 1946 का फोरनर्स एक्ट है उसमें कम से कम 5 बार अमेंडमेंट्स हो चुके हैं...(व्यवधान)

श्री मोहम्मद सलीमः जनेश्वर मिश्र जी को शब्द चयन के बारे में सीखना पड़ेगा। ...(क्यवद्यान)...

النفوی محدسیدم ، جنبینشوا منبرجی تومنبوچیئی کے بارے میں اب مسیلمندا بیرے کا د د ممد اخلیت ، • • وا

श्री नोलोत्पल बसुः वह तो सबसे बड़ा तमाशा हो जाएगा इस सदी का ...(ट्यवधान)...

श्री संजय निरुपमः तो क्या कानून को सड़ा हुआ कानून कहेंगे? अपने कानून को? ...(व्यवधान)... अपने कानून को कहेंगे कि सड़ा हुआ कानून है।

श्री मोहम्मद सलीमः ब्रिटिशर्स का बनाया हुआ है...(व्यवधान)...

ال نفری محد مسلیم : برمنشسرس کا بذا مواسے • • • مداخلت' • • •

श्री संजय निरुपम: मैं वही को वह रहा हूं कि 5 बार अमेंडमेंट हो चुके हैं। ...(व्यवधान...)

श्री जनेश्वर मिश्रः गृह मंत्री जी ने जिस कानून का हवाला दिया है वह सन् 1920 और 1946 का है। 1920 में अगर हम सोना और चांदी भी रखेंगे तो वे सड़ जाएंगे। यह तो कानून ही है जो कागज के पन्ने पर लिखा है। तब से समाज का मिजाज पता नहीं कितना बदल चुका है। आप कहते हैं कि आपने संशोधन किया है। लेकिन यह अंग्रेजों के जमाने का कानून है जिसका आपने हवाला दिया कि इस कानून के तहत हमे राज्य सरकार को यह अधिकार दिया है कि विदेशी नागरिकों

के साथ कीन-सा व्यवहार किया जाए। जब मैं कहता हूं कि यह सड़ा हुआ कानून है तो हमारे साथी कहते हैं अपने देश का कानून है। अंग्रेजों का बनाया हुआ कानून हमारे देश के लिए सड़ा हुआं कानून है...(ब्यवधान)

श्री सतीश प्रधान: आपने क्यों नहीं चेंज किया जब आप सत्ता में थे ...(व्यवधान)... आप भी सत्ता में थे, क्यों नहीं बदली किया, क्यों नहीं संशोधन किया उसका?...(व्यवधान)...

श्री संजय निरुपमः हम जिस सदन में बैठे हैं वह भी अंग्रेजों का बनाया हुआ है (व्यवधान...)

SHRI MD. SALIM: Sir, they are defying the ruling of the Chair. Sir, in response to a point of order raised by the hon. Member, you said that no running Commentary would be allowed. Still they are interrupting the hon. Member and you are not naming them. (Interruptions).

MR. CHAIRMAN: Mr. Misra, please conclude.

श्री जनेश्वर मिश्र: हमने किसी को चोट पहुंचाने की नीयत से कुछ नहीं किया। रह गयी बात हमारे दोसों की जो बीच-बीच में हल्ला मचाते हैं, वे गृह मंत्री जी से पूछ लेंगे कि 15—20 साल पहले यह हरकत हम छोड़ चुके हैं। हम सदन नहीं चलने देते थे। अब भी अगर सत्तारूढ़ पक्ष यही राय बनाकर चलता है कि हल्ला करके कार्यवाही रोक दी जाए तो हम अकेले काफी होंगे कि किसी भी सदन की कार्यवाही को ...(च्यवधान)... रोक दें।

श्री सभापतिः आप भी बुरा करेंगे। वे भी बुरा कर रहे हैं...(व्यवधान)...

श्री जनेश्वर मिश्रः तो इसलिए उस मित्रसे कहेंगे कि 15 साल पहले हमने यह हल्ला करना छोड़ दिया। अब नहीं करेंगे। अब हम चुंप हैं। वे कह रह हैं कि हम जवान थे तब। हम समझते हैं कि इस तरह की टिप्पणियां न हुआ करें ...(स्थवधान)...

श्री सभापतिः जवानी की गलती दुबार नहीं करनी चाहिए अब ...(व्यवधान)...

जनेज्ञ्बर मिश्रः लेकिन इनको छूट रहेगी सर? ...(व्यवधान)...

में दूसरी बात कह रहा था कि क्या इस तरह से अधिकार दिया जाएगा राज्य सरकारों को सीधे? यह विदेश का मामला है। यह केवल पश्चिम बंगाल का मामला नहीं है। विदेश से हमारे संबंध रहा करते हैं।

^{†[]}Transilteration in Arabic Script

इतिफाक से ढाका से हमारे संबंध मधुर हैं। लेकिन इसी तरह की हरकत होती रहे, मान लीजिए बंगलादेशियों के नाम पर किसी सबे से लोग निकाले जाते रहें तो हमारी सरहद पर तनाव नहीं हो सकता है? गृह मंत्रालय अब प्रत्यक्ष रूप से विदेश मंत्रालय के रिश्तों को बिगाडने का काम नहीं करेगा? कर सकता है। यह जो नकली लकीर खींची है 1947 वाली और उसके बाद वाली. यह नकली लकीर कभी न कभी तो ढीली-ढाली करनी पडेगी। इस तरफ आप 5 बम फोडेंगे तो उस तरफ 6 बम फोड़ देंगे। दूसरी तरफ भी उसी तरह का तनाव आप पैदा कर देंगे। केवल एक शहर को खबसरत बनाने के लिए वहां के लोगों की जिन्दगी को ठीक करने के लिए, चाहे कोई भी बड़ा मेटोपोलिटन या बड़ा शहर हो. सर. हम कहेंगे कि हमारे रिश्तों को बिगाडने की कोशिश मत करो। हमारे सरहद के बाहर जो लोग है आज से 50 साल पहले हमारे भाई थे। उनके बीच से अगर कोई आ जाता है, हमारे बीच से कोई जाएगा तो हम शेख हसीना से भी कहेंगे कि हम तम्हारे भाई थे. तम्हारे यहां आकर बस गए। ये रिश्ते आपस के हुआ करते हैं। लेकिन मझे अफसोस के साथ कहना पडता है कि वर्तमान सरकार, किसी मजहब से इसका कोई साहित्यकार आ गया तो ...(व्यवधान)...

भ्री सभापति: अब लंबा मत ले जाड्ये। ...(ट्यवधान)...

श्री जनेश्वर मिश्रः उसको घुसने नहीं देंगे। ...(व्यवधान)... कोई खिलाड़ी आ गया उसके खेल नहीं हो सकते एही मासम रजा को भी थोड़े दिनों के बाद कह दिया जाए, अभी प्रणव मखर्जी ने कहा कि हमारी मां बंगला देश में पैदा हुई, हम बंगला देश में पैदा हुए, क्या आडवाणी साहब को हिम्मत है कि यह कह दें कि हमारी मां पाकिस्तान में पैदा हुई हम भी पकिस्तान में पैदा हुए? हिम्मत करके कहा इन लोगों ने और जब ये कहने लगे तब हमको अच्छी तरह से याद है किसी ने कह दिया कि बंगला देश से तुम्हें मोहब्बत है। आडवाणी साहब, अगर आप पाकिस्तान में पैदा हर हैं तो आपके गृह मंत्री रहते हुए पाकिस्तान की सरहद पर रिश्ता मधर होना चाहिए तनाव का नहीं होना चाहिए। मानकर चलना चाहिए कि वह भी आपके भाई हैं। जमीन के भाई हैं। जमीन से आदमी पैदा होता है। मां की कोख से पैदा होता है। अगर जमीन पर वह रहता है तो उसकी मधरता को बनाने की कोशिश कीजिएगा। लेकिन मैं भारत सरकार से मांग करुंगा, गृह मंत्री साहब से मांग करूंगा, सीधे-सीधे आप महाराष्ट्र और बंगाल के मुख्य मंत्रियों को बैठा करके बात करें। अगर पश्चिम बंगाल के नागरिक जबर्दस्ती फैंके गए हैं. जो 50 साल से काम कर रहे हैं. जो देला चलाया करते हैं. इन सब को बाहर फैका जा रहा है हमारे उत्तर प्रदेश और बिहार में, क्योंकि बम्बर्ड को साफ करना है। बम्बर्ड के लोगों के कारण बम्बई नहीं बसा है, बम्बई में बसने के लिए देश भर के लोग आए हैं। यह कोई एक सबे का शहर नहीं है, कलकता एक सुबे का शहर नहीं है, चेन्नई एक सूबे का शहर नहीं है, बल्कि देश के, विदेश के बहत से लोग आए। मझे ख़शी हुई कि आडवाणी साहब ने कहा कि हमारी मां पाकिस्तान में पैदा हुई...(व्यवधान)... और उधर से प्रणव मुखर्जी साहब ने कहा कि मैं बंगला देश में पैदा हुआ। इतना चौड़ा दिल जिस सदन में लोगों का हो वहां पर इतनी सिकड़ी बात कि कौन आया जरी बनाने के लिए. कौन आया होरा तराशने के लिए और उसको किसी प्रदेश की पुलिस जबर्दस्ती धकेल कर बाहर करे और हमारे मित्र लोग कहें कि मेटोपोलिटन मैजिस्ट्रेट का आदेश है। अदालत है. हम लोग अदालत नहीं जानते. मेटोपोलिटन मैजिस्टेट नहीं जानते. सर. हम स्रोग तो यह केस अपनी जिन्दगी में बहत लड चुके हैं। ये अदालते क्या होती है वह भी हम जानते हैं। इस समय हाई कोर्ट में एक मामला विचाराधीन है। बेहतर होता कि हम बहुत दखल नहीं दिए हुए। मेट्रोपोलिटन मजिस्ट्रेट हाई कोर्ट की अदालत को हैसियत के सामने बहत छोटा मिजस्ट्रेट होता है। इसलिए यह बहस नहीं होनी चाहिए। लेकिन इसमें विदेश मंत्रालय को पहल करनी चाहिए ये रिश्ते मधर बनाने के लिए और गह मंत्री की तरफ से पश्चिम बंगाल और महाराष्ट्र के मुख्य मंत्रियों को बुला करके, यह सचिवालय के तौर पर पत्र-व्यहार करके कड़ा रुख क्यों बना रहे हो। सीधे-सीधे बात करो तम्हारे जितने नागरिक निकाले जा रहे हैं जो महाराष्ट्र में रहेंगे और यह देश के किसी भी हिस्से में संविधान के हिसाब से आने-जाने में कोई भी पाबंदी नहीं लगेगी यह गारंटी है। गृह मंत्रालय ही दे सकता है। यह महाराष्ट्र का मख्य मंत्री नहीं दे सकता, यह बंगाल का मुख्य मंत्री नहीं दे सकता, यह तो दिल्ली सरकार ही देगी। यह हमारा संविधान का अधिकार है। इसलिए हम चाहेंगे कि यह आश्वासन देश की जनता के सामने आए कि देश का कोई भी आदमी किसी भी प्रदेश में, कहीं भी जाकर येजगार कर सकता है, बस सकता है। इस पर कोई पाबंदी नहीं हो सकती है। न अदालत की पाबंदी और न कार्यपालिका की पाबंदी हो सकती है। धन्यवाद।

SHRI V.P. DURAISAMY: Mr. Chairman, Sir, first of all, I want to say that I fully agree with what Dr. Biplab

Dasgupta and another senior Member. Shri Gurudas Das Gupta, have said. have sought verv clarifications from the hon. Minister. The deportation of Bengali Muslims from Mumbai is illegal, unethical and immoral. As guaranteed in our Constitution, every Indian citizen has a right to live and carry on his profession in any part of India. Any Indian citizen can purchase property in any part of India. The action of the Maharashtra Government has created unnecessary tension between the two State Governments of Maharashtra and West Bengal. The Government is already going through so many problems, law and order problems, robberies, bomb blasts and natural calamities. This action of the Maharashtra Government endangers the national unity and integrity of this country. I would request the hon. Home Minister to kindly intervene in the matter and advise the Maharashtra Government not to deport any Bengali Muslim. There is a fear lurking in the minds of the Muslims living in Mumbai that they are also going to be disturbed. When Shri Gurudas Das Gupta was concluding his point of clarification...

MR. CHAIRMAN: That has been removed. Please don't enter into that. Please confine yourself to what the statement says. Don't enlarge it.

SHRI V.P. DURAISAMY: This is not the first time that the Maharashtra Government has deported Muslims or others. We, the Tamilians, have also had this bitter experience. Just ten years back, we, the Tamilians, were deported to Tamil Nadu. Our brothers and sisters could not get community certificates as also the Ration Cards. This was raised by my learned friend, Shri P. Soundararajan, just two days back. The House was a witness to it. This act of the Maharashtra Government. wilfully. wantonly identifying bona fide, genuine Indian citizens, is disturbing. So, I would request, through you, Sir, to the hon. Home Minister that the Maharashtra Government should not disturb either the

Muslims or the Hindus and particularly the Tamilians.

SHRIMATI JAYANTHI NATA-RAJAN: Sir, I would like to agree with the sentiments expressed by all my colleagues. I do not want to take much time of the House. I want to raise a very important question for the Home Minister to answer. Apart from whatever has already been said about the procedure followed by the Police in Maharashtra, the right to liberty as enshrined in the Constitution is one of the most precious fundamental rights that any Indian citizen can have. Many citizens of our country, our brothers and sisters, don't have wealth. A large percentage of people live below the poverty line. They may not have even three square meals a day. They may not have clothes or houses or shelter. But we have this precious fundamental right of liberty. The right to life and liberty is the most sacred of the fundamental rights enshrined in our Constitution.

While identifying, whatever for certain people. who the reasons. Maharashtra Government might have thought to be illegal immigrants, which motives are suspected by many of us, for whatever reasons they did it, the procedure followed by the Policy of knocking at their doors at dead of night and then putting them under custody, I find, is very strange. With so many major problems plaguing this country—the problem of terrorism, the problem of rising prices, the problem of floods, the problem of drought-are these Bengali-speaking people such a threat to the Government of Maharashtra or the country? Is there such an urgency to go and knock at their doors at dead of night and put them into jail? Here is my question to the Home Minister. Under what procedure is it being done? Under no procedure can it be done. I have some knowledge of law. Under no procedure known under the Constitution, under no procedure of the rule of law, can these persons be detained and kept in custody.

2594/RI-F10A

How can they be kept in custody for seven days until their status is decided? I would-like to ask the Home Minister to clarify, supposing these persons who were detained and kept in custody for seven days has been able to satisfy the Police that they were citizens of India, how you would restore their liberty to them. What authority has the Constitution given to you to detain people under custody? First, under what law were they arrested? Just because they are Bengali-speaking? I can't think of a more, more shameful insult to the Constitution of India., I will repeat again. (Interruptions)

SHRI SANJAY NIRUPAM: Sir, this word should not be used in the Parliament.* is unparliamentary. (Interruptions)

SHRIMATI JAYANTHI NATA-RAJAN: I am sorty, Sir. I am proud to say that I don't need any advice on parliamentary behaviour from Mr. Sanjay Nirupam.

SHRI SANJAY NIRUPAM: Please let me know the parliamentary procedure.

MR. CHAIRMAN: As a matter of fact, that word has been termed unparliamentary and it should not be used. They have said it many times. Please don't use it. ...(Interruptions)...

JAYANTHI NATA-SHRIMATI RAJAN: I will rephrase it. Sir, this kind of behaviour is intolerant and it is totally reminiscent of the way Hitler behaved a few years ago in Germany. Therefore, Sir, under what procedure of the rule of law these people can be admitted and kept in jail without any kind of charge being laid against these poor citizens of India except for the fact they were Bengali-speaking Muslims? Sir, Mr. referred... Basu Nilotpal ...(Interruptions)... Sir, Mr. Nilotpal Basu referred to the interview being taken, which I also saw, in which a senior official of the Maharashtra police spoke with such arrogance and said that these poor illiterate zari workers who have gone there for their livelihood have been thrown into prison and he said that for seven days they will kept them in jail and they can go and get their lawyer to come and produce the proof of their identity. Whatever proof of identity they have produced, i.e., a voter identity card, a ration card, which was presumably given by the Government of Maharashtra only - If the Government of Maharashtra itself has given a ration card which is not valid, I don't know why the Government still continues to exist over there: the Election Commission has given the identity card... (Interruptions)...

श्री संजय निरूपमः आएकी सरकार ने दो-दो सी रुपए लेकर राशन कार्ड दिए।

श्री मोहम्मद सलीम: सर, ये कह रहे हैं कि इनकी सरकार ने दो सौ रुपए लिए थे, इनको ढाई सौ रुपए चाहिए।

الفوی می دسلم: هر-به که دسم می دادی سرکادیث دومروروپید می مقصه انکودٔ حالی سوروپید جا صیب ۲

श्री सभापति: देखिए, मिस्टर संजय निरूपम, आपका इंटरिफअर करना ठीक नहीं। जब आप बोल रहे थे तो इनको मैंने बहुत रोका था कि ये आपको इंटरिफअर न करें।

श्री संजय निरूपमः सर, हमें इंस्टिगेट किया जा रहा है।

झी सभापति≽ इंस्टिगेट तो सब हो रहे हैं। Please sit down.

श्री संजय निरूपमः माननीय सदस्या के बयान से इंस्टिगेशन हो रहा है। इंस्टिगेट किया जा रहा है हमें। इनकी सरकार ने दो-दो सौ रुपए लेकर राशन कार्ड बांटे है। (क्यवधान)

श्री सभापति: इनकी कोई बात रिकार्ड नहीं होगी। क्या बात कर रहे हैं आप? (स्थवधान)

SHRIMATI JAYANTHI NATARAJAN: Sir, I and corry, I can't

^{*}Expunged as ordered by the Chair.

^{†[]} Transilteration in Arabic Script

help instigating him, if I am a south Indian, and I happen to be in Parliament. I cannot help him.

SHRI SANJAY NIRUPAM: This is not a matter of south India and north India.

SHRIMATI JAYANTHI NATARAJAN: I don't know. ...(Interruptions)...

SHRI JIBON ROY: Everybody knows that south Indians have been persecuted in Mumbai.

SHRI SANJAY NIRUPAM: No, no. This is wrong. ...(Interruptions)...

SHRIMATI JAYANTHI NATARAJAN: Sir, I am going to finish and I don't want to take much time of the House. I want the hon. Home Minister to kindly let the House know specifically under what rule of law these people were detained before their status is determined by the court, how they were detained, specially when their status was disputed by the Government of West Bengal.

Sir, my final question for clarification is a request to you. If in the Upper House - with 5,000 years of civilisation of this country - we are going to sit for fifityyears golden jubilee of our independence and if you are going to allow to stay on record a statement that has hurt the feelings not only of my colleagues from West Bengal who happened to have their origin in Bangladesh but also the feelings of all right thinking people. My feelings are seriously hurt by something which is flung across so irresponsibly from the other side of the House saying why do you have love for Bangladesh, as if it is a crime. I would like you to kindly consider... ... (Interruptions)... Please let me ask the Chairman. I would like you to consider whether you would like to remove the word at the very least from the record of the House because that has hurt our feelings very badly. Our civilisation has progressed and has come to this path because of universal love, tolerance and the ideals of vasudev

kutambtikam. This kind of intolerence, specially if it is allowed to be in the Upper House, has hurt our feelings very badly. This is not being said for effect. I feel very sorry that I should sit here and listen to this kind of accusation being flung at me. I would like you to kindly examine the record and see if it should not be expunged or at least if the person making such remarks should not be reprimanded. I would like to go on record to say proudly that I have great love for Bangladeshis and if that is a crime, I don't mind being punished for it. Let them punish me.

श्री आर॰ एन॰ आर्य (उत्तर प्रदेश)ः माननीय सभापति महोदय, यह विषय बहुत गंभीर है। हमारा राष्ट्र गरीब है और गरीबी के कारण आज़ादी के 50 सालों में लगभग 10 करोड़ जनता अपने गांवों को छोड़कर शहरों में भागी है। बड़े शहरों जैसे कलकता, बंबई, दिल्ली में उन शहरों की जनता के साथ-साथ अन्य प्रांतों की जनता भी अपने कारोबार की वजह से आई है। आईडेंटिफिकेशन का जो मामला है, यह भी बहुत महत्वपूर्ण है। आईडेंटिफिकेशन के मामले का सही तरीके से निर्धारण नहीं हुआ है। महाराष्ट्र भवर्नमेंट ने जो भी निर्घारण किया है, उसमें संशोधन होना चाहिए और दोनों स्टेट्स के बारे में संशोधन होना चाहिए। यह गरीब जनता है, माइनोरिटी की जनता है। उसको दःखी करने की भावना से यह सब किया जा रहा है। महोदय, उनका आईडेंटिफिकेशन उनके सर्टिफिकेट से. राशन कार्ड से या कुल के सार्टिफिकेट से किया जा रहा है। वे सर्टिफिकेट उनके पास उपलब्ध नहीं है क्योंकि स्कूलों में उनके बच्चे पढते नहीं हैं, राशन कार्ड उनका बना नहीं है, मकान उनके पास है नहीं। इसमें लैंग्वेज का भी प्रॉब्लम है, बंगाली लैंग्वेज है। हमारे सांसदों ने हमसे पहले यह बात यहां रखी है।

महोदय, मैं बहुजन समाज पार्टी का सदस्य हूं और मैं यह महसूस करता हूं कि वे दुःखी और गरीब लोग हैं जो गांवों से दिल्ली में आए हैं और यहीं के होकर रह गए हैं। दिल्ली की आबादी 50 साल में 5 गुनी हो गई है। इतनी तो हमारी जन्म दर है नहीं तो फिर यह आबादी कैसे बढ़ रही है? यह इसलिए बढ़ रही है क्योंकि यहां अन्य प्रांतों के लोग आ रहे हैं लेकिन क्या कारण है कि सिर्फ बंगाल को दृष्टिगत करते हुए उन लोगों को इस प्रकार से निकाला जा रहा है? इसमें उन्हें पश्चिम बंगाल की सरकार को भी शामिल करना चाहिए कि हम ऐसा करना चाहते हैं, ये आपके लोग हैं या नहीं? इस तरह से उन्हें निकालना बहुत दुर्भावनापूर्ण है। इसलिए केन्द्र को बहुत सोच-विचार करके कोई कदम उठाना चाहिए, मुझे इतना ही कहना है। धन्यवाद।

SHRI PARAG CHALIHA (Assam): Mr. Chairman, Sir, I thank you for giving me this opportunity. Sir, this particular statement made by the hon. Minister today has some very direct effects on the situation that prevails in my state Assam. I do not want to speak anything about the animosity amongst different groups, particularly Bengali speaking and Tamil speaking, etc. I do not belong to that category. Sir, I had my education in Bengal. I can speak Bengali as fluently and beautifully as many others can. But, I have to speak about the situation in Assam where the illegal immigrants from Bangladesh have created a change in the course of history of that entire area. Therefore, it resulted into an eight years' mass movement unprecedented not only in the anals of the Assam but of the whole of India culminating into signing of the Assam Accord by the representatives of the AASU, All Assam Students Union and the then Prime Minister, Rajiv Gandhi. Prior to that Mr. Gandhi went there. I know it from my personal experience because I met him along with a deputation. He also wanted to resolve this particular issue of Assam movement. It ultimately came in the form of the Assam Accord which particularly resulted into IMDT Act IMDT courts and some course about deciding as to who are-Bangladeshis was established.

[The Deputy Chairman in the Chair]

I am rather sorry that I have to speak in this House in a situation, in an atmosphere, when hard feeling are being expressed. I am totally averse to this sort of feelings. I am proud to call myself the Chairman of the State Integration Committee. For me, there is no anti-Bengali feeling, no anti-South Indian feeling, and there is nothing of that sort. I have not been brought up in such an atmosphere. But, at the same time, I

must say that before Assam Accord, the illegal migrants had created a lot of problem and it had become a question of life and death for the people of Assam. Therefore, I would like to know from the hon. Minister whether he has looked into all the provisions of the Assam Accord. Have the IMDT courts been activated? No doubt, they were activated for a particular period. But, now, I think, they are almost defunct. May I know from the hon. Minister whether in view of the very unforegttable history for the last 10 to 15 years, he will kindly look into the provisions of the Assam Accord. This is my only question. Thank you.

श्री संघ प्रिय गौतमः मैडम्, डिबेट हो गई है इस पर तो।

उपसभापति: आई नो डिबेट हो गई। क्या करेंगे, अब आप लोग डिबेट करते हैं हर बात में, क्वेश्चन पुरुना चाहिए।

SHRI P. SOUNDARARAJAN (Tamil according to the Nadu): Madam, statement made by the hon. Home Minister, the deported persons are identified by the Mumbai Police by verifying their birth certificates, school cards. electoral certificates. ration identity cards, domicile certificates, etc. Unfortunately, lakhs of migrant SC/ST Tamils who have settled in Mumbai for generations did not get any of these certificates from the Government of Maharashtra. Also. due to noncompliance of former Home Minister's letter No. BC-16014/1/82-SC BCD. I, dated 18th November, 1982, directing all the Chief Secretaries of the States and Union Territories to issue SC/ ST certificates to those who migrated from other States on production of a Caste Certificate from their State of origin, they are facing lot of problems. Madam, even this direction has not been complied with. Till now, the people who migrated from Tamil Nadu and settled in Maharashtra did not get any certificate. I request the hon. Minister, through you. to take up this and protect the interests of our Tamil-migrated people and take

necessary steps to issue those certificates. Thank you.

THE DEPUTY CHAIRMAN: Now, actually, Members whose names are here have spoken, I mean, from every political party. Now, there are some more requests. At what time have we started this?

SHRI NILOTPAL BASU: Madam, at 1 O' clock.

THE DEPUTY CHAIRMAN: It is already two-and-a-half hours. I think, we could have a Short Duration Discussion on the whole issue. Rather and some structured debate could have taken place, which could have some result also because what happens is, they may not questions and make contributions for the Home Minister to give a proper answer, which he would have done in the case of a structured debate. Now, I have Mr. Malkani, Mr. Salim, Mr. Narendra Mohan, Mr. Pritish Nandy, and one more person, I do not know. Next time if you send your slip to the Chair, please write your name and division number, otherwise we would have to keep searching. Of course, you sign it, but we do not recognise your signatures. So, now there are names of seven people, out of which three are from a small party. ...(Interruptions)...

श्री संजय निरुपमः मैडम, कम से कम प्रीतीश जी को....

उपसभापति : आप बोल चुके हैं। आपको बड़ा शौक है अपनी आवाज़ सुनने का, दूसरों की भी सुनिए।

SHRI SATISHCHANDRA SITARAM PRADHAN: Madam, I withdraw my name. Let Mr. Pritish Nandy speak.

SHRI DEPUTY CHAIRMAN: Very good. He is withdrawing his name.

नरेन्द्र मोहन जी तो है नहीं। ...(व्यवधान)...

प्रो॰ विजय कुमार मल्होत्राः सी॰पी॰आई॰(एम॰) से बोल चुके हैं इसलिए सलीम साहब भी विदड़ाँ कर लें।

श्री मोहम्मद सलीमः शिवसेना से तीन सदस्य हैं। तीनों का नाम था, उसमें से हक विदड़ों करके दो बोलेंगे। सी॰पी॰आई॰(एम॰) के सत्रह हैं, सिर्फ दो बोलेंगे ...(ट्यवधान)...

المنتوی محدسلیم: متبوسینا سے تین معدستیہ ہیں۔ تینوں کانام تھا۔ اس ہیں سے دی ود در اکرے دوبولیں گے۔ مسی۔ چی۔ ہی۔ ہی۔ ایم۔ سے سے سے ہیں حرف دو بولیں گے۔ • معدا خلت "• • ع

उपसभापति: मलकानी जी, आप भी बोलेंगे? ...(व्यवधान)...

श्री मोहम्मद सलीम: सत्रह के सत्रह नहीं बोलेंगे। उसी प्रपोर्शन से बी॰जे॰पी॰ का भी होना चाहिए।

الخفری تحدسلیم: مسترہ کے سترہ کہیں بولیں گئے۔ اسی برپورشن سے بی ۔ جے۔ بی - کا بھی مہونا چاہئے ۔]

उपसभापति: ऐसा है कि थोड़ा यह भी ध्यान दीजिए कि होम मिनिस्टर साहब को, पीने चार बज रहे हैं।

He must be wanting to go and have a meal or do some work. He must be tired. He has to go to the other House. If everybody agrees, then we can have very short questions and not speeches. I can allow two or three people to just put questions or their viewpoint in the shortest possible manner. And that will also determine how efficient and good a Parliamentarian you are. So, it is your test.

देखिए, यह आपकी पार्लियामेंटरी स्किल का सवाल है।

SHRI K.R. MALKANI (Delhi): Madam Deputy Chairperson. Maharashtra Government tried to deport 96 persons, some of whom are alleged to be local Indians. But, the issue has been blown up. It would seem that heavens have fallen or are about to fall. I must congratulate the Maharashtra Government for taking the Foreigners

^{†[]}Transilteration in Arabic Script

Act seriously and for at least trying to identify the Bangladeshis for deporting them. I would like to know if West Bengal has ever deported any illegal Bangladeshi immigrants.

I entirely agree with my good friend, Mr. Gurudas Das Gupta, that he has feelings for Bangladeshis. It is natural. We have Bengalis on this side and on that side, Punjabis on both sides of the border. It is natural. But the unfortunate fact is that India was partitioned. There are different citizenship laws, different passport systems. (Interruptions) You cannot have the cake and eat it too. (Interruptions) I am not yielding. Some friends have said, prove that there are 15 million Bangladeshis here. I would advise them to have a look at the Census Reports of India for the last five decades. A former Governor of West Bengal said, In April, 1991 that there were 15 to 20 million Bangladeshis in India. Our friends from Bengal are very, very critical of the Maharashtra Government. .(Interruptions) I am not yielding. (Interruptions)

SHRI MD. SALIM: Is he seeking clarifications from the Minister or from Members? (Interruptions)

THE DEPUTY CHAIRMAN: I must tell the hon. Members who hail from Maharashtra, that it is not their inherent right to defend everything or reply to everything which is said in the House. Members have the right to express their feelings and perceptions. please do not get up abruptly. You had a long say on this. Let the views of Members come out, so that there is a solution to the grievances of the people. At least there may be a solution for the grievances of the people. That is what you also want.

SHRI K.R. MALKANI: Some time back the then Prime Minister of Bangladesh said that there are no Bangladeshis in India. And some friends in this House also seem to talk the language of *Even according to the leading Bengali paper 'Dhaka Courier' there are at least 1 ½ lakh Bangladeshis in Delhi alone ...(Interruptions)

SHRI JIBON ROY: Madam, the hon. Member has used the phrase 'some Member in the House is also speaking in the language of "' I leave it to you to decide whether it is unparliamentary or not. ...(Interruptions)...

THE DEPUTY CHAIRMAN: I did not follow. (Interruptions)

SHRI K.R. MALKANI: I will repeat. (Interruptions)

SHRI NILOTPAL BASU: Bangladesh is a country with which we have good relations.

THE DEPUTY CHAIRMAN: Mr. Malkani, when you are placing your grievances or your apprehensions. ..(Interruptions) I will handle. (Interruptions)... about this issue, please do not bring in a foreign country because you are making the Government's position very embarrassing because you are from the ruling party.

SHRI K.R. MALKANI: A very unfortunate statement was made here...(Interruptions).

THE DEPUTY CHAIRMAN: But you do not make it. (Interruptions).

SHRI K.R. MALKANI: I am not yielding...(Interruptions).

उपस्थापति: इसे रिकार्ड में से निकाल दो।

Remove it from the record.

SHRI K.R. MALKAMI: There is a big ...(Interruptions). Two years back also this scare was spread. Some distinguished leading Bengali leaders went to Bombay, met Bengali society and they said that everything is perfectly amicable and peaceful. And again this issue is being raised.

A point has also been made that this is a human issue. I know there is a human angle. The people from Bangladesh do not come here to create trouble. Of course, not. Those who want to create

^{*}Expunged as ordered by the Chair.

trouble, they will be very few and they can come in anyway. But the question is, if you allow millions of Bangladesh is to come here — I am sure there are many people in this House who care very much for the poor and the low—paid minimum-wagers—how do you enforce the Minimum wages law with Bangladeshi accepting half the wages? ...(Interruptions).

THE DEPUTY CHAIRMAN: Mr Malkaniji, are you asking them ...(Interruptions). One minute please. ...(Interruptions).

SHRI TRILOKI NATH CHATURVEDI: He has a tilt towards the Left, maybe.

THE DEPUTY CHAIRMAN: Are you answerable to the Members in this House or are you addressing the Chair? ...(Interruptions).

SHRI MD. SALIM: I think he is not satisfied with the statement made by the Home Minister. That is why he wants a further elaboration from us.

SHRI K.R. MALKANI: I think we have a Foreigners act, but, I am afraid, it is not being properly implemented either in letter or in spirit. I would beg of the hon. Minister to see that a white paper is issued on the subject as to how many Bangaladeshis are here, what they are doing, what can be done about it. Thank you very much.

THE DEPUTY CHAIRMAN: Now, Mr. Pritish Nandy. Do not think that it is your maiden speech and you can go on. This is just a query on a statement...(Interruptions).

SHRI TRILOKI NATH CHATURVEDI: He can get a second maiden chance.

THE DEPUTY CHAIRMAN: I do not mind if Mr. Pritish Nandy gives maiden speeches 20 times. It is his prerogative.

SHRI PRITISH NANDY: (Maharashtra): Madam, I want to take one minute to make one specific point.

Shri Gurudas Das Gupta has perhaps unwittingly unleashed a dangerous argument. At the outset, let me say that I am a Bengali, a proud Bengali. I come from Calcutta. My father spent many years of his life in Maharashtra. He was born a Hindu, brought up by Christian missionaries. My mother's family by origin was Muslim. She came from Bihar. All members of my family speak Bengali, openly and proudly in Mumbai city. They also happen to practise different religions. I also went to Maharashtra and Mumbai to make a living in pursuance of my fundamental rights as an Indian. Today I am here representing the State of Maharashtra.

It is unfair to Mumbai, it is unfair to Maharashtra, to accuse the Government, to accuse the State Police. of being specifically unfair to Bengalis Bengali-speaking people. Shri Gurudas Das Gupta's example of his friends speaking Bengali on the roads of Mumbai feeling theatened of being picked up by the police is unfair. Perhaps, Shri Gurudas Das Gupta was misguided by his own experience in West Bengal because we know that the largest number of custodial deaths take place in the State of West Bengal. The police in West Bengal are far more brutal than anywhere else.

SHRI ASHOK (West MITRA factually Bengal): This is not correct.(Interruptions) The Home Minister read out the date. (Interruptions)

SHRI PRITISH NANDY: As a Bengali, I am proud to be elected to this House from Mumbai, from Maharashtra, from the Shiv Sena which is leading the ruling alliance. I am not alone. till the other day, the Sheriff of Mumbai was a Bengali. Its leading lights in movies, academics, bureaucracy, even the underworld, are Bengalis. In the Rajya Sabha...

SHRI DEPUTY CHAIRMAN: I do not think that is worth mentioning over here.

SHRI PRITISH NANDY: Madam, in the Rajya Sabha, there are five Shiv Sena nominees. The five nominees are: a Gujarati, a person from Goa, a person from Bihar, a Maharashtrian and a Bengali. This is the very liberal tradition of Maharashtra, of Mumbai.

SHRI M. VENKAIAH NAIDU: One should really appreciate his spirit. (Interruptions)

SHRI PRITISH NANDY: I think it is a shame for hon. Members of this House to wreck, to embarrass, this culture, this rich tradition, of the country. We must learn to respect each other's language, culture, courts; if possible, even the police. We must learn to trust them, have faith in them.

I am a new Member in this House. I am, personally, a pround example of a Bengali—speaking Indian. I consider myself as an Indian, elected to this House from Maharashtra, from the very party ruling Maharashtra which is now being accused of being anti-Bengali and anti-Bengali-speaking people.

I think this House must realise that occasional aberrations cannot, and must not, detract us from the great tradition of India. If there are if there were, any aberrations, during the deportation of illegal immigrants, these must be looked into, corrected and never repeated again. But Madam, in this House, let us not east aspersions on each other, on the basis of hearsay, mistrust and bigotry. This House does not deserve this. India does not deserve this. Bengal, Rupshi Bengla, does not deserve this.

Thank you, Madam.

THE DEPUTY CHAIRMAN: Shri Md. Salim.

श्री मोहम्मद सलीमः मैडम, अच्छा हुआ कि प्रीतीश नदी के बाद ही मुझे बोलने का अवसर मिला। हम भी बोलने के लिए तैयार थे अच्छी मुम्बई, सुन्दर। जितने लोग मुम्बई में रहते हैं, मुम्बई सबके लिए है। बहस का मुद्दा यह नहीं है कि मुम्बई की पुलिस कितनी अच्छी है, मुम्बई के लोग कितने अच्छे है। हमें उनसे कोई शिकायत नहीं है। कोई प्रॉब्स्तम नहीं है। मेरा पहला सवाल है।

1 would address my questions to the hon. Home Minister, through you, Madam.

THE DEPUTY CHAIRMAN: MR. Minister, I know you have to go at 4 O' clock. We can do one thing. Let him to the last speaker. Then you can go to the other House and then come back and reply later. (Interruptions) How can the reply come in five minutes?

SHRI L.K. ADVANI: I will complete my reply in the Five minutes. I have ready nothing to add.

THE DEPUTY CHAIRMAN: Mr. Salim, could you be a little faster?

SHRI MD. SALIM: Okay, Madam. बहस का मृद्दा यह नहीं था कि मृद्दा यह नहीं बनना चाहिए था। चूंकि स्टेटमेंट था इसलिए क्लेरिफिकेशन पूछना चाहिए था लेकिन मंत्री महोदय ने अपने स्टेटमेंट में जितनी बातें कही हैं ट्रेजरी बेंचेज के जितने दूसरे मेंग्बरान से, वे उसको फरदर ईलोबरेट करने लगे और उसमें पोलिटिकल, सोशल डाइमेंशन्स जोड़ने लगे।

हमारे हाउस में कभी ऐसा नहीं होता था मिनिस्टर की स्टेटमेंट से कोई भी सदस्य सवाल पूछ सकता है। मेरा पहला सवाल यह है कि पैरा नं॰-1 में उन्होंने कहा है कि धी बैच्स में 96 लोग भेजे गये और दूसरे पैरा में ये कहते हैं कि जो लोग पकड़े गये थे, जिनको राउन्ड अप किया गया था उनको एम्पल एपोच्पुनिटी मिली कि पूव करें, जो महाराष्ट्र गवर्नमेंट का स्टेटमेंट है वह दी जाए। रेड करके कितने लोगों को राउंड अप किया गया था अगर 96 को सेटिस्फाइड करके भेजा गया था ते उनसे पहले किसीने लोगों को पकड़ा गया में रिपीट नहीं करत वहता हूं क्यों जयनी नटराजन जो ने कह दिया है। मैं यह जानना चाहता हूं कि किस कम्नून के तहतं उसको जेल के अन्दर बंद करके कहा गया कि डाक्युमेंट्स पूव करो। जब रेड किया गया उस वक्त भी यह नहीं कहा गया था कि अपने डाक्युमेंट्स साथ में ले आओ।

मेरा दूसरा सवाल यह है कि क्या महाराष्ट्र सरकार से पता करके बतायेंगे कि एलीगेशन्स ये हैं कि गरीब लोगों ने डाक्युमेंट्स पेश किये। उनको देखा नहीं या रिफ्यूज किया या उनको फाड़कर फैंक दिया और उन पर विश्वास ही नहीं किया। जैसा सदन में महाराष्ट्र के सदस्यों ने भी कहा कि ये पैसे से मिलता है। अगर पार्लियामेंट के मेंम्बर यह कहते हैं, इतने लोगों के सामने, जहां कानून भी बनाया जाता है कि ये डाक्युमेंट्स दो सौ या ढाई सौ रुपए में खरीदे जाते हैं तो कास्टेबल, सब **इंस्पैक्टर या** उस गरीब जरीवाले का क्या किया होगा इससे आप अंदाजा लगा सकते हैं।

SHRI SANGH PRIYA GAUTAM: You also said it. ...(Interruptions):..

THE DEPUTY CHAIRMAN: Let us debate it because the home Minister has to do.

श्री मोहम्पद सलीम : मेरा तीसरा सवाल यह है कि लीगल प्वाइन्ट सिर्फ नीलोत्पल बस ने ही उठाये हैं. मैं उस पर जाना नहीं चाहता हं। क्योंकि यह सब-ज्युडिस है इसलिए ज्यादा कानून में नहीं जाना चाहिए। लेकिन इसका एक राजनीतिक, सामाजिक और मानवीय पहल भी है। बहुत से माननीय सदस्य ने इस ओर ध्यान दिलाया है। मेरा सवाल यह है जब अंग्रेज इस देश में आये थे उस वक्त जो लोग ढाका का मसलिन बनाते थे और जो बंगाल के अच्छे कारीगर थे उनकी अंगुलियों को काट दिया गया था। उस समय पोलिटिक्स नहीं थी. शिव सेवा नहीं थी. सीपीएम नहीं थी. शीउँ इकनोमिक रीजन्स के लिए। आज जरी के टेड में, डायमण्ड पॉलिश के ट्रेड में जिस तरह से मॉडर्नाइजेशन, मैकेनाइजेशन हुआ हैं. बरसों से जो लोग हाथ से काम करते थे उनको आज कम्पिटीशन करना पड़ रहा है। मशीन के जरिए जो एक्सपर्टाइज है, उसको उस ट्रेड से खदेडा जा रहा है और एक कानून को गैर कानूनी तरीके से इस्तेमाल किया जा रहा। सरकार, होम मिनिस्ट्री क्या इसको अनदेखा करेगी? हिन्दस्तानी शहरी अगर एक भी पकड़ा गया तो क्या इंडियन गवर्नमेंट उसको मुआवजा देने के लिए तैयार है या नहीं है? जो उनके साथ इंसानियत का बर्ताव किया गया. हैंडकफ चेन लगाकर भेज दिया गया बंगाल में। उसके बाद जब वे कोर्ट में गए और डाक्युमेंट्स पेश किए, मैं कोर्ट के आईर में नहीं जा रहा हुं लेकिन अगर एक भी ऐसा प्रव हो गया कि हिन्दस्तानी शहरी थे. मैं महाराष्ट्र गवर्नमेंट को जिम्मेदार नहीं बता रहा हं।

It is the responsibility of the Government of India.

उनको आपने एन्स्ट किया। According to the Act, it is the task of the Government of India. और जो आफिसर डीसीपी हैं उनको आपने एन्स्ट किया है on behalf of Government of India, अगर गलत काम किया है तो उसका मुआवजा आप कितना देंगे उस इंडियन सिटिजन को, कैसे उसको कम्पनसेट करेंगे?

THE DEPUTY CHAIRMAN: Mr Salim, will you please be brief.

भी मोहम्पद सलीमः पैरा नं॰-2 में कहते हैं कि महाराष्ट्र गवर्नगेट के मताबिक जो उन्हें दिया गया है उसको मैद्रोपोलिटेन मजिस्ट्रेट के पास ले जाया गया। दूसरे सदस्यों ने कहा है कि यह मैट्रोपोलिटेन मजिस्ट्रेट का मामला है, ख्वामख्वाह हकुमत और पुलिस को क्राक्स किया जा रहा है। आप इसमें क्लीयर नहीं हैं। जो आईर डीसीपी ने स्टेट गवर्नगेंट को भेजा गया उसकी मेरे पास कापी है। जो आईर मिसेज फरोजा बेगम को पकडाया गया, कानून के तहत हम कहते हैं कि आप बंगलादेशी है, चले जाओ। कितने कैलअसली कानन को इस मल्क में लगाया जा रहा है। यह आईर है। महाराष्ट्र डिप्टी कमिश्नर पुलिस स्पैशल ब्रान्ड (सीआईडी), जो डिपोर्ट कर रहे हैं. आर्डर दिया गया कि आप चले जाओ यहां से। उसमें कानन का नाम भी नहीं लिखा गया है कि किस कानन के तहत उनको निकाला जा रहा है। आपकी स्टेटमेंट में है फॉरेनर्स एक्ट। यहां उस कानन का नाम भी नहीं दिया गया है।

4.00 P.M.

सिर्फ सेक्शन देकर बताया गया कि चलो। किसी का कोई एडेस नहीं। न लोकल एडेस दिया गया, न परमानेट एडेस। उस आर्डर में सिर्फ लिखा हुआ है कि मिसेज फिरोजा बेगम, एम-47 बंगला देश और खत्म। 24 की लिस्ट मेरे पास है। मेल है या फीमेल है यह भी नहीं देखा गया है। एड्रेस भी नहीं दिए गए। सब बंगलादेशी हैं, बंगला टोला या कल्ला, कोई एडेस नहीं है। लेकिन एडेस भी नहीं है। अभी प्रणव मुकर्जी वेरीफाई करने की बात कह रहे थे। यह स्टेट गवर्नमेंट और आपके वेरीफाई करने की बात है लेकिन जो एडेस बताए गए वे एडेस भी नहीं लिखे गए हैं। जहां उनको पकड़ा गया, रेड करके पकड़ा गया वह भी नहीं लिखा गया। सिर्फ मिसेज फरीदा खातन, अब्दल अहमद खान, एम-24 बंगलादेश लिखा है। यह कौन से कानून के तहत है। डिएी कमिश्नर आफ पलिस कानन का नाम नहीं बताते हैं।(व्यवधान)....

SHRI SATISH PRADHAN: It is not required.

SHRI DEPUTY CHAIRMAN: Who is saying it is not required? you are a senior Member of Parliament. I am sorry, Pradhan Sahib.

प्रधान साहब, आप सीनियर मेंबर हैं और अपनी पार्टी के लीडर हैं। इस तरह से किसी को भी बिना कानून की दफा लगाए आर्डर देना इसे आप क्या समझते हैं? अगर यह रिकार्ड पर आएगा तो आपका नाम कितना खराब होगा। Please do not do these things.

Let us have a serious discussion. Let the problem be solved. We are sitting here for four hours...

SHRI GOPALSINH G. SOLANKI (Gujarat): Madam, a particular country's name has been mentioned. In the general list the address is not required.

श्री मोहम्मद सलीम: अखबार वाले दे रहे हैं कि किस मोहल्ले से पकड़े गए। यह क्या है में इसकी बहस में नहीं जाता हं।

उपसभापति : आप जल्दी खत्म कर दीजिए ताकि जवाब आए।

श्री मोहम्मद सलीम: मैडम, कानून की घज्यां ये इसिलए उड़ा रहे हैं कि यह सियासत करना चाहते हैं। अपने वोट्स के लिए, अपानी पार्टी के इंटरनल ट्रबल के लिए, असेंबली इलेक्शन के लिए यह ऐसा कर रहे हैं। बंगला देशी जो अपने को कह रहे हैं, मैं मानता हूं कि उन्होंने यह सब डर से या खतरा समझकर माना है। होम मिनिस्टर साहब, मैं जानना चाहता हूं कि आज महाराष्ट्र में क्या स्थित हैं? आप इस तरह से उनको पकड़कर उनको डिपोर्ट कर दें क्या यह ठीक हैं? अगर यहां पर डेढ़ करोड़ बंगला-देशी हैं, आप इसके लिए क्या तैयारी कर रहे हैं? सवाल सिर्फ भाषण का नहीं हैं। एक सेंस आफ इनिसक्युरिटी हिन्दुस्तान के करोड़ों इंसानों के जेहन में हैं। एक खास धर्म वाले, एक खास भाषा वाले लोगों के अंदर सेंस आफ इनिसक्युरिटी पैदा करने का काम किया जा रहा है।

SHRI M VENKAIAH NAIDU: Madam, is he seeking clarifications or making a speech? It is too much. The West Bengal Government is supporting the infiltrators. (Interruptions) They are playing the worst politics. (Interruptions)

THE DEPUTY CHAIRMAN: Mr. Salim, please sit down.

SHRI M. VENKAIAH NAIDU: During the Congress regime also, people were deported from Bombay. (Interruptions) Why are you bringing in religion?

THE DEPUTY CHAIRMAN: Just a minute please. Pradhan Sahib, please sit down. The way we are behaving in this

House looks as if this is a political issue. You are discussing it in a political manner. Let the Home Minister say what the situation is. Why every Member of the House is taking upon himself, when there is a Government representative in charge of the Ministry sitting in the House? Let him take a decision whether it is right or wrong. He is competent to answer every question. Why don't you understand that? Do you think he is not competent to protect his own Ministry? Mr. Salim, have you completed?

SHRI MD. SALIM: No, Madam.

THE DEPUTY CHAIRMAN: Then please finish, because he has to go.

श्री मोहम्मद सलीमः मैडम, अगर किसी सिटीजन, अगर किसी नागरिक के साथ अन्याय होता है तो एक सभ्य देश में कानन के तहत कोर्ट में जाया जा सकता है या ह्रथमन राइटस कमीशन के पास जाया जा सकता है। हमारी महाराष्ट्र से शिकायत इसलिए भी है कि महाराष्ट्र में न तो स्टेट हयमन राइट कमीशन है और न ही माइनारिटी कमीशन है। आप कहती हैं कि पोलिटिकलाइज मत करो मगर यह तो पोलिटिकल बात है। कहां जाएंगे वो जिन माइनारिटीज़ को बंगलादेशी कह कर निकाला जा रहा है? आपने महाराष्ट्र में माइनारिटी कमीशन को वाइंड अप कर दिया। आपकी पोलिटिकल पार्टी यह कहती है कि माइनारिटी कमीशन नहीं रहेगा, हयुमैन राइट्स कमीशन नहीं बनाएंगे। महाराष्ट्र, में आज की तारीख में, होम मिनिस्टर साहब ने जवाब दिया, ह्यूमैन राइट्स कमीशन नहीं है। आप हयूमैन राइट्स को रौंद रहे हैं। इस सदन में अगर बहस नहीं करेंगे तो कहां आवाज सनी जाएगी?

उपसभापतिः आप बैठिये। कम्पलीट कीजिए।

श्री मोहम्मद सलीमः दूसरी बात है। The failure of the State Government. The failure of the Central Government. अगर बंगलादेशी इस मुल्क में हैं तो पहरा देने की जिम्मेदारी न तो वेस्ट बंगाल गवर्नमेंट की है और न त्रिपुरा गवर्गमेंट की है। पहरा देने की जिम्मेदारी गवर्नमेंट आफ इंडिया की है। बाईर सिक्युरिटी फोर्स की है। हिफेस मिनिस्टर, होम मिनिस्टर रोजाना बबान देते हैं, क्यों नहीं उनको रोकते हैं? बाईर पर रोकिये, उसको सील कीजिये लेकिन यह फेलियर ऑफ दी सेंट्रल गवर्नमेंट है। इसका मतलब यह नहीं है कि हमारे गांव से, हमारे मोहल्ले से। हमारे जिले से जो आएंगे, उनको आप हथकड़ी पहना कर वापिस भेजेंगे। (व्यवधान)

SHRI M. VENKAIAH NAIDU: He is speaking here as if he is addressing a public meeting. Till yesterday, they were supporting a Government. Were they sleeping? Were they not in collision with infiltrators?

श्री मोहम्मद सलीमः दर-असल यह एक कायदा है, यह फलसफा है, यह दर्शन है। इस तरह से एक्शन नहीं है। विश्व की दूसरी जगहों पर भी माइमेंट वर्कर हैं, यूरोप में हैं, दूसरे मुल्कों में हैं, आप देख लीजिये। मुम्बई एक और यूरोप बन रहा है। वहां पर ऐसे हालात पैदा कर रहे हैं कि माइमेंट वर्कर्ज़ में सेंस आफ इनिसक्युरिटी पैदा की जाए। ...(व्यवधान) यह एक फेडरल कंट्री है, यहां पर स्टेट के लोग आएंगे। दिल्ली में भी आएंगे, कलकता में भी आएंगे, हमारा यह राइट है। मैं इस सरकार को दोष नहीं देता। 50 साल में ऐसे केसेज़ हुए हैं, उसमें कुछ जगह बंगलौर, हैदराबाद, कलकता, मद्रास आइलैंड बने हैं, भूखे लोग, नंगे लोग काम की तलाश में इन शहरों में आएंगे। इसी सदन में ...(व्यवधान)

SHRI K.R. MALKANI: They cannot walk into India. यह धर्मशाला नहीं है। (व्यवधान)

श्री मोहम्मद सलीमः में आखिरी बात कहता हूं। ...(व्यवधान)

श्री के॰ आर॰ मलकानीः गले लगा कर बैठे हैं बंगाल में उनको। (व्यवधान)

श्री मोहम्पद सलीयः मलकानी जी, आपके लिए सह रहा हूं। मैंडभ, आप महाराष्ट्र से आई है। मैं चैलेंज कर रहा हूं। मैं अपना मैम्बरशिप कार्ड और आइंडेंटिटी कार्ड यहां जमा कर के पोशाक बदल कर इस इंटरसेशन में एक इल्लीट्रेट पावटीं स्टिस्ट्राइकन ज़री वर्कर की तरह अगर कुर्ला जा कर बंगाली पहरावे में उनके साथ जुड़ जाता हूं तो फिर हमें भी चेन में पकड़ कर कुर्ला एक्सप्रेस में बैठा कर वहां से वापिस भेज देंगे। (क्यवधान)

श्री के॰आर॰ मलकानीः अच्छा होगा। ...(व्यवधान)

श्री मोहम्मदौ सलीमः मैं बंगला बोलता हूं। (व्यवधान) मेर नाम भी मोहम्मद सलीम है। (व्यवधान) मैं इसलिए कह रहा हूं कि आइडेंटीटी क्राइसेज़ है। (व्यवधान) यह सेंस आफ इनिसक्युरिटी पैदा कर रहे हैं। इसलिए होम मिनिस्टर साहब अपने मामले को क्लीयर करें कि उनका क्या नज़रिया है। स्टेट गवर्नमेंट जो ऐसा काम करती है उसको किस तरह से बताएंगे कि यह गैर कानूनी काम है। मुम्बई पुलिस करपान और कम्युनलिज्म को वजह से बदनाम है, उससे इन्साफ की तलब नहीं की जा सकती है। ...(व्यवधान)

المنتری محدسایم شویی بنگال": میگری اچعام واکه پریتینش کنوی که بوید بچه بوین کاموقع ملا- بم بعی بوین کری تیاری - اچی ممبئی، معنور ممبئ کریولیس کنی اچی سه، ممبئ کری کریس کنی اچی بین - مهمی ال سے کوک شکاریت بنیں ہے، برا بلم بنیں ہے - مرا بہلاسوال ہے۔]

I would address my questions to the hon. Home Minister, through you, Madam.

THE DEPUTY CHAIRMAN: Mr. Minister, I know you have to go at 4 O' clock. We can do one thing. Let him be the last speaker. They you can go to the other House and then come back and reply later. (Interruptions) How can the reply come in five minutes?

SHRI L.K. ADVANI: I will complete my reply in five minutes. I have really nothing to add.

THE DEPUTY CHAIRMAN: Mr. Salim, Could you be a little faster?

الشرى محدسليم: اوسكىيۇم، بحث كامدايە بنيى تقا، بحث كاموعايه بنيس بىنا چلىھ تمثا -كيونك دسيىر ندى قا دس بىڭ كليرى فى كيشن بوچىغا چاپىيۇ دس بىڭ كليرى فى كيشن بوچىغا چاپىيۇ

^{†[]}Transilteration in Arabic Script

مقا- لید منزی مهود ب نه اسط اسیمنٹ جتی بایش کهی ہیں گوزی بینچیز کے جتنے دوسرے مجان سے وہ اسکو مزید الے بودیٹ کرنے لگے اور اس میں پالیویل سونشل ڈا ممنشن جود نے لگے۔ ہما دسے معا وسمیں کہی

ایسا بیس میوتافقا، منستری احیمی نسط سے
کوئ جی مجرسموال بوچی سکتاہے - مرا پہلا
سموال یہ ہے کہ بیرا نمبر ایک میں اخوں
نے اوردوسرے بیمرامیں یہ کیجے ہیں
کیج اوردوسرے بیمرامیں یہ کیجے ہیں
اُپ کیا گیا فقا انڈا بمبیل ابورجیوبیمی علی
اُپ کیا گیا فقا انڈا بمبیل ابورجیوبیمی علی
اُپ کیا گیا فقا انڈا بمبیل ابورجیوبیمی علی
د واجلے - دیئر کرکے گئے موگوں کو
د اور نواز آپ کیا گیا مقا توان سے بھیے کتے اوگی

SHRI SANGH PRIYA GAUTAM: You also said it...(Interruptions)...

THE DEPUTY CHAIRMAN: Let us debate it because the Home Minister has to go.

الخشوی می دسماید: مراتیسراسوال به به دسیکل پواکندنی مرف نیلوتیل بسو نے بی اعدائے ہیں میں اس برجا نا بہیں چارچا بھی کیونکہ یہ سب جیکوس میں اس می زیادہ تا ٹون میں جا نا مہیں جا بہتے ، لیکن اسکا واجنینک ،

†[]Transilteration in Arabic Script

Willed of will it laded

ایک مبی ایسابروف موگیا که مغورتا ن نشهری تھے میں مہادرشتر سرکادی ورد نیس بتاریخ میں :]

It is the responsibility of the Government of India. According to the Act, it is the tast of the Government of India.

[النكواب في انتراسيف كيانا

THE DEPUTY CHAIRMAN: Mr. Salim, Will you please be brief.

النوی محدسلیه : بیرانم دومیس کینی بیرانم دومیس کینی بیری که مراد اخیر محد کمند کے مطالق میں دوری بیری کا مراحلہ ہے ، خواہ منخواہ میکومت اوریوبیس کو بونام کیا جارہ ابوری بیری کا دیا ہے ، جو ایس اس میں کلیر ابیری میں -جو اوریوبیس کلیر ابیری میں - جو اوریوبیس کلیر ابیری میں - جو اوریوبیس کلیر ابیری میں - بی ای اسٹید کے اسٹید کی میں کا اسٹید کے اسٹید کے اسٹید کے اسٹید کے اسٹید کی میں کا اسٹید کے اوریوبیس کا اسٹید کے اسٹید کی میں کا اسٹید کے اوریوبیس کا اسٹید کی میں کا اسٹید کے اوریوبیس کا اسٹید کے ایکا کا اسٹید کے ایکا کی کا اسٹید کی کی کا اسٹید کی کا اسٹید کی کی کی کا کی کا اسٹید کی کی کا اسٹید کی کی کا اسٹید کی کا اسٹید کی کا اسٹید کی کی کا اسٹید کی کا اسٹید کی کی کا اسٹید کی کا کی کا کی کا اسٹید کی کا کی کا کا کی کا کی کا کا کا کا کا کا کی کی کا کا کا کا کی کا کا کی کا کی کا کا کا کی کا کا کی کی کا کی کی کا کا کی کا کا کی کا کا کی کا کا کا کی کا کا کا کی کا کا کا کا کا کی کا کا کا کا کا کا کی کا کا

† | Transilteration in Arabic Script

تورنمنٹ کو تجدیدا گیا امنس کی مرمے پاس کلبی ہے۔جواڑ فر مسنر فیروز در میگر کو پکولیا گیا ، قانون کے تحت ہم کینے ہیں کہ آپ بھیلی قانون کو اس ملک میں مگایا جا د ہاہے۔ یہ او ڈورپ مہادا مشرکح پونکشنر پوریس اسپیشل برانج (مسی ہی تج کے کا چوفیہ پرورٹ کر رہے ہیں، او ور دیا

ارفردیس مبی پنرده کی گیری بریال بود پیمودگی - دریو توکوپکودگیاوه میں کنی گفاگیا ، مرف مسنر قریده خا تون ، عبوالاخان، ایم م ۲ بنگله دریشس لکوا ہے - یہ کوسے قانون کے تحت ہے - فو بھی کمشنز آمف پومیس قانون کا نام نہیں بتاتے ہیں" بمعافلت"

SHRI SATISH PRADHAN: It is not required.

THE DEPUTY CHAIRMAN: Who is saying it is not required? You are a senior Member of Parliament. I am sorry Pradhan Sahib.

प्रधान साहब, आप सीनियर मेंबर हैं और अपनी पार्टी के लीडर हैं। इस तरह से किसी को भी बिना कानून की दफा लगाए आर्डर देना इसे आप क्या समझते हैं? अगर यह रिकार्ड पर आएगा तो आपका नाम कितना खराब होगा। Please do not do these things. Let us have a serious discussion. Let the problem be solved. We are sitting here for four hours...

SHRI GOPALSINH G. SOLANKI: Madam, a particular country's name has been mentioned. In the general list the address is not required.

الفرى محدسلەن (خبادول مدعدید بین دکس محلے سے بکورگے ویہ کیا ہے اس کی محت میں نہیں جاتا ہی -اب سعمایتی: آب جامی ختم مرد بحکے منا کہ جواب ہے -خری محدسلیم: میڈم ، مقانوں کی وصحبیاں یہ اس میڈا کڑ ادسے ہیں کی درسیاست کرناچا ہے ہیں دینووٹ

^{†[]}Transilteration in Arabic Script

SHRI M. VENKAIAH NAIDU: Madam, is he seeking clarifications or making a speech? It is too much. The West Bengal Government is supporting the infiltrators. (Interruptions) They are playing the worst politics. (Interruptions)

THE DEPUTY CHAIRMAN: Mr. Salim, please sit down.

SHRI M. VENKAIAH NAIDU: During the Congress regime also, people were deported from Bombay. (Interruptions) Why are you bringing in religion?

THE DEPUTY CHAIRMAN: Just a minute please. Pradhan Sahib, please sit

down. The way we are behaving in this House looks as if this is a political issue. You are discussing it in a political manner. Let the Home Minister say what the situation is. Why every Member of the House is taking upon himself, when there is a Government representative in charge of the Ministry sitting in the House? Let him take a decision whether it is right or worng. He is competent to answer every question. Why don't you understand that? Do you think he is not competent to protect his own Ministry? Mr. Salim, have you completed?

SHRI MD. SALIM: No, Madam.

THE DEPUTY CHAIRMAN: Then please finish, becuase he has to go.

المالان المراب الموادر المواد

^{†[]}Transilteration in Arabic Script

The failure of the State Government. The failure of the Central Government.

SHRI M. VENKAIAH NAIDU: He is speaking here as if he is addressing a public meeting. Till yesterday, they were

supporting a Government. Were they sleeping? Were they not in collision with infiltrators?

^{†[]}Transilteration in Arabic Script

ئے-آد-ملکان: اچھام م : ميون بنظر بولتا

اود کمیونگزم کی وجرسے بونام ہے، اس انعیاف کی گلب بہیں کی جا سکتی ہے . . . "مراخلت" . . . " مختم شند"

THE DEPUTY CHAIRMAN: Now, the Home Minister will reply.

DR. ARUN KUMAR SARMA (Assam): Madam, on one point, I want to seek clarification.

THE DEPUTY CHAIRMAN: We had enough debate on this subject. Let the Home Minister reply. I will give you a chance to speak next time.

DR. ARUN KUMAR SARMA: It is a very important issue.

THE DEPUTY CHAIRMAN: I know that every point is a very important issue. The Home Minister has to go somewhere.

ARUN KUMAR SARMA: Madam, I have one pertinent question to put. Madam, in our country, on one issue two Acts are operating. Regarding identification of foreigners one Act is applicable to the whole country, except Assam, that is foreigners Act, 1946. In respect of Assam IMDT Act is applicable. In Mumbai, if a foreigner is detected as a Bangladeshi and if he is deported to Assam, he becomes a legal migrant. He becomes a citizen of India by virtue of IMDT Act. How these types discriminatory Acts are practised? These issue are being sidelined by making it a communal issue, whether he is a Bengali, whether he is a Muslim, whether he is a Buddhist. There are a lot of Buddhists living there. We have Chakma refugee problem also. They have also created a problem for this country. These issues have never been looked into broader perspective. When the people of Assam, the AASU agitated, we were termed as chauvinist, anti-national, parochial and what not.

However the Assam Accord signed. There was a clause, clause 5.9, added to amend the IMDT Act which intended to protect the illegal migration from Bangladesh. Contrary to the Foreigners Act, 1946, the IMDT Act, 1983, was enacted. It was never amended or repealed. What kind of discrimination is being done against the people of the north-eastern region! Another Act is being applied there only to protect the illegal immigrants from Bangladesh. It is jeopardising the demograhic pattern of the north-east. Our cultural and politcal identity and our political destiny are threatened in the hands of the infiltrators who happen to get voting rights. Our political right has been chased away by them and now they will be deciding our destiny in the near future and we are going to be reduced to a minority. The Assam Accord was signed with a view to giving a permanent solution to the problem. A lot of questions arose about the procedure of detection even from 1964. Madam. Under the Foreigners Act, there was certain tribunals working. There was one scheme, the Prevention of pakistani Infiltration Scheme, working in Assam. But all the modalities adopted different criteria. And this is the only country where we do not have a list of citizens. Anybody can come and complain against me. Any Member of this House can say I am a foreigner. There is no proof that I am an Indian citizen. Where is the Registrar of Citizens? If we really want to solve this problem permanently, we should have that institution. I think nowhere in the world can you find such an uncertainty about citizenship. Once for all, these points should be settled. There should be a Registrar of Citizens. All the citizens should enrol their names with the Registrar. All others who are not citizens, who cannot claim, prove, to be Indian citizens should be termed as another kind of, a different, category. And if some States want to keep them in their State, jeopardising their interest, they can keep them. But they should not impose them on us.

Madam, I can give one example. There are about 1.5 crore Hindu population in Bangladesh. If there arises any disturbance and they want to come and stay in Assam, then the population structure of Assam would suffer. For re-organisation of Indian States, it was the small nationality which was envisaged before the States were actually re-organised on the basis of language and not on the basis of religion. Infiltration has created a lot of problems. The ethnicity problem in the north-east has been created because of this infiltration. A lot of immigrants who had infiltrated were settled, rehabilitated in the tribal places and blocks. Therefore, there is now trouble, unrest. These problems should be settled once for all. We should not communalise it. We should not try to sideline the important national issue. It is related to our national unity and national integrity. Madam, as a person from the north-eastern region. I say this. We want good relations.....

THE DEPUTY CHAIRMAN: Will you please conclude now?

DR. ARUN KUMAR SARMA: I have a feeling that we should have a good relationship with the neighbouring Bangladesh. There should be a good relationship, economic relationship. In many other foreign countries, our Indians are deported. They do not discriminate between Muslims and Hindus or anybody on the basis of language. They do not want Indians to be staying and working there. We are a member of the SAARC. But from other foreign countires, our Indians are deported. Similarly, if our country wants to have a definite rule in this regard, we should not always protect some in the name of religion, in the name of language. There have been so many measures in this respect. There was the Immigrants Expulsion Act, 1950. But infiltration is being allowed even after 50 years of Independence. There was the Nehru-Liyagat Ali Pact; there was the Indira-Mujib Pact; and there were so many Acts But in soite of all these,....

DR. ARUN KUMAR SARMA:there is discrimination.

THE DEPUTY CHAIRMAN: Please take your seat now. You are talking in the larger interest.(Interruptions).... Let the Home Minister reply. We should give some time for the Home Minister to reply.

DR. ARUN KUMAR SARMA: Madam, please excuse me for getting emotional. I am making a very pertinent point relating to the integrity of the country.

THE DEPUTY CHAIRMAN: I do understand. Please sit down.

DR. ARUN KUMAR SARMA: I hope the hon. Minister will be kind enough to inform us what the proposition for making a register of citizens in future is and what the proposal for amending the IMDPA is. ...(Interruptions)....

THE DEPUTY CHAIRMAN: Please sit down. Now that is enough. ...(Interruptions)... You have repeated it. I remember every word of it. Please sit down. ...(व्यवधान)... आप बैडिए। होम मिनिस्टर साहब, बोलिए।

श्री लाल कृष्ण आडवाणीः उपसभापित महोदया, सभापित जी ने तो पहले यह प्रस्ताव रखा था कि मैं वक्तव्य दे करके जा सकता हूं एक-आध शायद कोई सवाल होगा जिसका उत्तर दे दिया जाएगा, लेकिन काफी लंबी बहस चल गई।

उपसभापितः हमारे हाउस में तो आपको पता है, आडंवाणी जी, आप तो इस हाउस के मैंबर थे, जो प्रथा है कि क्लैरीफिकेशन आयेगा अगर आप कोई सुओ मोटो स्टेटमेंट दो लाइन का भी करेंगे तो इट विल ओपन(स्ववधान)....

श्री लाल कृष्ण आडवाणीः दो घंटे।

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उपसभापतिः फुल दो घंटे क्लैरीफिकेशन(त्र्यवधान).... और आपका तो स्टेटमेंट दो पेजेज़ क है।

श्री लाल कृष्ण आडवाणी: लेकिन महोदया, जहां तक मुझे स्मरण है, तब ऐसे नहीं होता था, लेकिन(क्यवधान).... उपसभापतिः मुझे याद है कि(व्यवधान)....

श्री लाल कृष्ण आडवाणीः मुझे इस बात का थोडा सा खेद है कि आज की बहस जो एक महत्वपूर्ण विषय पर थी उसमें उत्तेजना आवश्यकता से अधिक थी। जरूरत नहीं थी। थोड़ी-बहुत उत्तेजना तो समझ में आती है, खास करके जब राज्यों का मामला हो, लेकिन उसमें भाषा लाना, मजहब लाना, इसकी कोई आवश्यकता नहीं थी। यह मसला जो है इस मसले को कोई भी सरकार आएगी तो उसको जरा सोच करके. विचार करके, उसको डील करना पड़ेगा, न कोई यह कह सकेगा कि बोगी ऑफ इलीगल इमीग्रेशन बोगी नहीं है। इसलिए किसी और ने इन्हीं की पार्टी, इन्हीं के ग्रुप की ओर से कह दिया कि इट इज़ ए रिएल्टी कि मिलियंस हैं। मैं इस समय उस आंकड़े में नहीं जाता जो इन्द्रजीत ने कहा है, मैं नहीं कहंगा, लेकिन कहा हुआ है, मैं इतना ही निवेदन करूंगा कि हम इस मत के रहे हैं कि कानन कहता है कि इलीगल इमीप्रेशन को रोकना चाहिए। उसमें विफलता रही है। कानून कहता है कि अगर कोई इलीगल इमीव्रेंट है तो उसको आइडेंटीफाई करके डिपोर्ट करना चाहिए। यह सब कानून कहता है और यह कानून कार्यान्वित करने के लिए इस सरकार ने अभी काम शुरू किया है ऐसा नहीं है। मेरे पास आंकड़े है। महाराष्ट्र की सरकार तो 1995 में आई और उसमें कहा गया कि 94 लोगों को भेजा जा रहा है। मैं देखता हं 1994 में 617 लोगों को भेजा गया, 1993 में 490 लोगों को भेजा गया. 1992 में 596 लोगों को भेजा गया. 1991 में 750 लोगों को भेजा गया, 1990 में 736 लोगों की भेजा गया, इस आधार पर कि ये बंगला देशी हैं, इलीगल इमीग्रेटस् हैं, इसीलिए इनको भेजा जा रहा है। यह लंबी लिस्ट है, मैं उसमें नहीं आता। यह काम जो इस कानून के अधीन, फॉरेनर्स एक्ट के अधीन और पासपोर्ट एक्ट के अधीन सतत किया जाता रहा है। मैं समझता हं कि पहली बार ऐसा हुआ है, इससे पहले इतने लोगों को निकाला गया तब कभी शायद तीन-चार धंटे की बहस नहीं हुई, लेकिन अब 94 पर हुई है। उसमें मैं मानता हूं कि इसमें मेरा दायित्व यह है कि दो राज्य सरकारें इस मसले में अलग-अलग दृष्टिकोण न अपनाएं। मुझे खुशी हुई जब नीलोत्पल बस् जी ने कहा कि हमारी सरकार ने कहा है कि हम विदेशी इमेग्रेंटस के टिपोर्टेशन के खिलाफ नहीं हैं, हमको आपत्ति इस बात पर है कि कोई व्यक्ति जो पश्चिम बंगाल का रहने वाला है, वहां के किसी जिले का रहने वाला है, वह क्योंकि बंगला भाषी है और क्योंकि अल्पसंख्यक है, इसीलिए उसको कहना कि यह बंगला देशी है, उसको निकाल

देना चाहिए, मैं उनसे पूरी तरह से सहमत हं कि ऐसा अगर है तो यह सरासर गलत है। मैं आपको बतालाऊं कि मझ को कहा गया कि आपने तो खाली पश्चिम बंगाल की सरकार ने ऐसा कहा है, महाराष्ट्र की सरकार ने ऐसा कहा है.....। इतना कहकर अपना फर्ज परा कर लिया। मैंने फर्ज परा नहीं किया, मैं उस के बाद भी अपना फर्ज समझता हं क्योंकि यह बात सही है कि यह कानून सेंट्रल लाँ है। डिपोर्टेशन का अधिकार मलतः सेंट्रल गवर्नमेंट का है और उसको डेलीगेट किया गया है। प्रणजी ने सही कहा कि वह स्टेट्स को डेलीगेट किया गया है कि आप आइडेंटीफाड करें और आप निर्णय करें, लेकिन मुल दायित्व सेंटल गवर्नमेंट का है. इससे मैं इंकार नहीं कर रहा हं, स्वीकार कर रहा हं। उसके बावजद भी मैंने इस विषय में कोई बात अपनी ओर से नहीं लिखी सिवाय उसके जो मुझे पश्चिम बंगाल की सरकार ने बताई या महाराष्ट्र की सरकार ने बताई। उसका कारण था कि—I felt inhibited because of the fact that the situation has been referred to the High Court of Calcutta. कलकत्ता के हाईकोर्ट में मामला सुपूर्द हो गया है, तो मैं कहं कि अम्क फिरोजा बेगम या कोई तो यह निर्णय ठीक नहीं है। वह तो कलकते के रहने वाले थे. वह तो हावडा के रहने वाले थे. वह तो मालदा के रहने वाले थे, मैं नहीं कहा सकता। यहां तक कि मैंने उन का भी जो स्टेटमेंट देखा जिस का एक पोर्शन मैंने इसमें कोट किया है, जो पश्चिम बंगाल के सेक्रेटरी ने कहा, उसमें उन्होंने विश्वास के साथ नहीं कहा कि यह यहां रहते हैं. यह यहां के हैं. ऐसा नहीं कहा। उन्होंने कहा कि--"It transpires prima facie that some of these people Bengal-speaking who brought to be pushed back to Bangladesh are Indian citizens and are residents of some districts of West Bengal." That is not all. The Chief Secretary of West Bengal goes on to add, "If this fact is established, then the preceding actions could have been more circumspect". You see the language. That means, I feel, if they were really the residents of some districts of West Bengal(Interruptions).....

SHRI NILOTPAL BASU: Madam, just one minute.(Interruptions).....

SHRI L.K. ADVANI: Please let me complete. (Interruptions)..... Nilotpalji, you had your say.(Interruptions).....

THE DEPUTY CHAIRMAN: Nilot-palji, please let him complete.

SHRI L.K. ADVANI: In so far as these 94 are concerned. I am not going to make any pronouncement because this is matter which is before the court of law. You have made everything. You have accused the Maharashtra virtually Government of abusing the authority, doing this police act, doing that act and everything. I think, so far as the entire debate is concerned. मैडम, उसमें उत्तेजना अगर किसी की बात में नहीं थी और किसी ने भी उस पर प्रतिक्रिया प्रकट नहीं की तो ऐसे दो भाषण थे और जिन दो भाषणों के कारण मुझे कुछ ज्यादा कहने की जरूरत नहीं। वह भाषण थे, एक हमारे प्रीतिश नन्दी का और दसरा हमारे पराग चालिहा का। ये दोनों अलग-अलग हैं. लेकिन यह दोनों इस बात का आभास दिलाते हैं कि I don't call it an illegal infiltration. क्योंकि इनफिल्ट्रेशन में एक डिजाइन होना चाहिए। इमिग्रेशन में डिजाइन नहीं है। For the bulk of those who come here, काम चाहिए, धंधा चाहिए इसलिए आ जाते हैं और चुंकि हमारी सीमा की सुरक्षा व्यवस्था ऐसी है या वहां का टेरेन ऐसा है कि उस में जितनी भी सीमा की सरक्षा हो, यह सब को पता है कि यहां पंजाब और राजस्थान में हम ने बार्बंड वायर फेंसिंग लगा दी है और उसके कारण वहां से इनफिल्टेशन काफी कम हुआ है. लेकिन यहां पर संभव नहीं है, व्यावहारिक नहीं है। कछ हिस्से में यह लगा है और बाकी हिस्से में भी हम लगाना चाहते हैं। इसलिए मैं इस पहल को स्वीकार करता हं कि यह जो मसला है, जहां एक ओर यह कानून का उल्लंघन है, जिस कानन के उल्लंघन की अनुमति नहीं होनी चाहिए ताकि वह कानून अपना काम करे वहीं दूसरी ओर यह एक मानवीय समस्या है और वह जब हमारी सरकार आई है तब इतनी बड़ी मात्रा हो गयी है कि में कह कि यह अगर डेढ़ करोड़ है तो मैं इन डेढ़ करोड़ को निकाल दूंगा, मैं नहीं कहंगा। इसलिए अगर पहली बार किसी सरकार ने यह घोषणा की तो इसी सरकार ने घोषणा की कि हम एक नेशनल रजिस्टर ऑफ सिटीजंस बनाएंगे और उसको बनाते-बनाते हम नॉन-सिटीजंस का भी रजिस्टर बनाएंगे। नहीं तो, दुनिया के किस देश में नॉन-सिटीजंस रजिस्टर बनता है?

और मैं आपको बता सकता हूं कि पिछले दिनों जब बंगला देश की प्रधान मंत्री यहां पर आई थीं तब उनके साथ आए हुए अधिकारियों ने, उनके अने से दो दिन

पहले ही मेरा वक्तव्य निकला था, मुझसे आकर बात की और कहा कि हम आपके इस बयान से बहुत प्रसन्न हैं, आपका बहत अच्छा बयान है क्योंकि इससे यह जो अनसरटेनिटी या आशंका मन में बनी रहती है कि हमको न जाने कब कोई पकड़ लेगा यह इसमें से हटने की गुंजाइश बनती है। मैं मानता हं कि यह कोई सरल बात नहीं है इसमें बहुत कठिनाइयां आएंगी। अभी-अभी गृह मंत्रालय की सलाहकार समिति की बैठक हुई थी जिसमें मैंने विस्तार से यह कहा था कि हमारी योजना क्या है इस बारे में, किस तरह से हम करना चाहते हैं और अब तक कितनी हमने कार्रवाई की है, इसका पूरा विवरण उनके सामने रखा था। मैंने उनको यह भी कहा कि इस बारे में मैं देशभर के मुख्य मंत्रियों को बुलाकर, उनका सम्मेलन आयोजित करके. उनसे सलाह करके कछ करूंगा और इसमें दो-तीन साल लगेंगे। लेकिन उस दो-तीन साल के प्रोसैस में जहां एक ओर हमारे किसी भी नागरिक को यह कहने की जरूरत नहीं पड़ेगी कि मेरे पास तो कोई आइडेंटिटी कार्ड नहीं है। मेरे पास तो इस एम॰ पी॰ के आइडेंटिटी कार्ड के और कोई कार्ड नहीं है, यह कहने की जरूरत नहीं पड़ेगी, आइडेंटिटी कार्ड होगा। व्यावहारिक तौर पर इसकी आवश्यकता सबसे गरीब लोगों को सबसे अधिक पड़ती है, बड़े लोगों को नहीं पड़ती है। बड़े लोगों के पास तो शायद मोटर डाइविंग लाइसैंस होगा. उनके पास कछ और होगा लेकिन जो गरीब है, जो मेरे पास आकर के सांसद के नाते, विधायक के पास जाकर एम॰ एल॰ ए॰ के नाते. गज़िटिड आफिसर के पास जाकर कहता है कि मैं 70 साल का हो गया हूं, मुझे पेंशन मिल सकती है स्टेट से लेकिन मुझे किसी गज़ेटिड आफिसर का सर्टिफिकेट बाहिए, किसी एम॰ पी॰ का, किसी एम॰ एल॰ ए॰ का सर्टिफ्किट चाहिए। उसको जो परेशानी होती है. उस परेशानी से मुक्ति इसी प्रकार की व्यवस्था से मिल सकती है जिसमें हरेक को आइडेंटिटी कार्ड प्राप्त हो. हरेक नागरिक को प्राप्त हो और हरेक गैर नागरिक, जो यहां पर रहता है, उसको भी प्राप्त हो, चाहे दूसरे प्रकार का हो लेकिन जो व्यावहारिक तौर पर उसके लिए एक वर्क परिमट बन जाएगा। यह कल्पना लेकर यह सरकार काम कर रही है।*

*किसी मामले में अगर कोई गलती की होगी, दो-तीन मामलों में शायद किन्हीं, तो उन्होंने कहा है

that is an aberration and that aberration, I am sure, would be corrected in a court of law. The matter is before a court of law.(Interruptions).... श्री मोहम्मद सलीमः मैडम, यह मामला सब-क्यूडिस है और होम मिनिस्टर कहते हैं यह अफसोसजनक बात हैं।(व्यवधान)....

SHRI GURUDAS DAS GUPTA: Sir, it was very unfortunate(Interruptions).... The Home Minister has absolved and Government of Maharasthra(Interruptions).....

SHRI TRILOKI NATH CHATUR-VEDI: That is an aberration(Interruptions)....

उपसभापतिः बैठिए चतुर्वेदी साहब। आप भी बैठिए। बैठ जाइए प्लीज।(स्थवधान)....

श्री एम॰ वेंकैया नायडु: मैडम, लैंग्वेज और रिलीज़न के बारे में जो रिफरेंस दिया गया है, उसको रिकार्ड से निकालना पड़ेगा। That will arouse communal passion in the country.

SHRI MD. SALIM: Madam, I would like to draw your attention to the last sentence of the Home Minister. I condemn it.(Interruptions)....

THE DEPUTY CHAIRMAN: I did not hear it.(Interruptions).... If everybody speaks at the same time, I cannot hear and F will not give any ruling....(Interruptions).... Please sit down. Let me hear the Home Minister.(Interruptions)....

SHRI GURUDAS DAS GUPTA: Madam, he has given a clean chit to the Government of Maharashtra. It is very unfortunate. (.rereaptions)....

THE DEPUTY CHAIRMAN: Please sit down.(Interruptions)....

[]Transliteration in Arabic script.

^{*}Expunged as order by the Chair.

हम सब चिल्लाएंगे तो कुछ समझ में नहीं आएगा, एक ही आवाज समझ में आ सकती है।

Mr. Home Minister, they are worried about one thing. Shri Salim raised certain relevant points. He said that some addresses were not given and the Act was also not mentioned. Please make an inquiry about it so that the Members are satisfied. Your answer was good. But they raised those questions also. If you don't have information just now, please find it out. It has happened in a State. Please inquire about it from the State Government and them tell then.(Interruptions).... Just a minute. Let us discuss it in a peaceful manner. You are worried about the people. They are worried about the country. We are worried about the country. Let us also think about it. Let the Home Minister make an inquiry. If he wants to say something, I will allow him.

श्री लाल कृष्ण आडवाणीः महोदयाः मैंने शरू में ही कहा कि 94 जो केसेज़ है डिपोर्टीज़ के. I have not gone into them. I do not know who has filed the writ petitions in the Calcutta High Court. I do not know which districts they belong to. The West Bengal Government has said that they belonged to such and such districts. It is because these cases are before the High Court that I am not concerned with them. Nor do I think that it would be right on my part to be making enquiries either from the Maharashtra Government or from the West Bengal Government as to whom they are referring because the matter will be dealt with by the Court. But I said, so far as what the Maharashtra Government has told me, they told me about the procedure. They may be wrong in certain cases. Even the Court might have heard in certain cases. After all, they had been permitted by the Metropolitan Magistrate. He might have heard them. That error of his can be corrected only by a superior court and which will be corrected. That is all that I have said. Furthermore, I would like to stress that in this matter, even the Government of India has a mind in respect of this large body of people who are illegal immigrants. That is borne in mind by all the States. Therefore, I do propose, as I said earlier, to call all the Chief Ministers, tell them about the scheme and discuss perhaps their attitude towards even those who are illegal immigrants today and about whom under the law they are required to take all this action. There can be a different approach. Immediately I have thought of suggesting to the Home Secretary to call the Chief Secretaries of the two States and see to it that this particular episode is sorted out in a proper manner.

SHRI S.B. CHAVAN (Maharashtra): May I put one question? (Interruptions).

THE DEPUTY CHAIRMAN: Let Chavan Saheb ask. He was the Home Minister before.

SHRI S.B. CHAVAN: The point which the hon. Home Minister was making is in the context of the 94 kpeople whose cases are pending in the Calcutta High Court.

**A value judgement on a case which is pending before the Court...(Interruptions)...

THE DEPUTY CHAIRMAN: Let him say...(Interruptions)... I wil check the record.

SHRI S.B. CHAVAN: This is theon-12y point. The Maharashtra Government has not done anything lese. It is in the context of 94 cases only.

SHRI L.K. ADVANI: I said, there may be aberrations; there may be mistakes...(Interruptions)...

SHRI S.B. CHAVAN: Aberration is a totally different matter...(Interruptions)...

उपसंभापतिः प्लीज खामोश रहिए 1 मिनट के लिए।...(व्यवधान)....

SHRI S.B. CHAVAN: Ultimately it is, the Court which has to pass judgement. Before the Court passes any judgement,

** (Interruptions)...

^{*}Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN: No more discussion...(Interruptions)...

SHRI M. VENKAIAH NAIDU: Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: First, let me please point out a procedure. We do not discuss in the House anything which is before a court. The basic reason is that we do not want the court opinion to be directed in a particular direction. Now, I would request the Home Minister that if he has said that the Maharashtra Government has not done any mistake, please withdraw it because let the court decide... (Interruptions) आप बेरिय... (स्यवधान)...आप लोग रुकिए... (स्यवधान)...

(Interruptions) can handle देखिए. आपको एक स्रात ...(व्यवधान)... He is a very capable person. That is why today Mr. Advani is the Home Minister and not you. So, let him answer. When you become the Home Minister, I will give you the same respect in this House if I am still here. So, let the Home Minister handle it. He has handled it very well. The only problem is that as the matter is sub judice, let us not make any comment in this House. It is our tradition, our custom, our requirement, that we do not discuss any sub judice matter. And we should not say whether any Government has done right or wrong. Let the Court decide whether it is right or worng. That is the final thing and no more discussion on it ... (Interruptions)

SHRI M. VENKAIAH NAIDU: Madam, I am on a point of order.

THE DEPUTY CHARMAN: No point of order. The matter is over.

श्री संघ प्रिय गौतमः मैड्म, यस सारी प्रोसीडिंग्स एक्सपंज होनी चाहिए।....(व्यवधान)

उपसभापतिः आप भी बैठिए,...(व्यवधान) बेठ जाइए, ज्यादा बोलने की जरूरत नहीं है।(व्यवधान) होम मिनिस्टर साहब, आपको दूसरी जगह जाना है(व्यवधान) आपको जाना है।

There was a matter. That bomb blast thing was there. But I believe you are busy there. Have you made the statement in the other House?

SHRI L.K. ADVANI: Yes, already.

THE DEPUTY CHAIRMAN: Now, there are certain clarifications. But I will take the opinion of the House. The Home Minister has business in the other House, we should let him go. (Interruptions)

SHRI MD. SALIM: After disposing of this thing.

THE DEPUTY CHAIRMAN: That matter is over. He said it and I gave my ruling. I will go into the record. I will go by whatever the procedure of the House has been in the past. We will not deviate from our practice. Are you statisfied? (Interruptions) Just (Interruptions) Let complete. me (Interruptions) Venkaiahji, when the Chair is speaking, if you don't interrupt it will be better for the House. The Home Minister will reply...(व्यवधान) आप भी बैठिए, वेकैया नायडु जी से बोलने का मतलब खाली वह आपके लिए नहीं है, आप भी शामिल है। यह हाउस के लिए मैं बोल रही हं। (स्थवधान)

श्री त्रिलोकी नाथ चतुर्वेदीः मैडम्, मैं ...(व्यव = धान)...

उपसभापतिः एक मिनट, आप पर भी वही बात लागू होती है, एक मिनट बैठिए जग्र। श्री त्रिलोकी नाथ चतुर्वेदी: मैं तो सुबह से बोला नहीं हूं। मैं तो आपकी आज्ञा मांग रहा हूं।

THE DEPUTY CHAIRMAN: That doesn't mean that you should speak now. मेरी बात अगर पूरी हो जाए जो मैं कह रही हूं क्लेरिफिकेशंस के बारे में, उसके बाद आप शौक से सारी रात तक बोलिए, मुझे कोई ऐतराज नहीं है।

श्री त्रिलोकी नाथ चतुर्वेदीः मुझे आप आज्ञा दे दीजिए।

THE DEPUTY CHAIRMAN: The problem is that we can take up clarifications on the bomb blast in Delhi at another time. That matter is over. Now, we have a discussion on the Industry Ministry. आपकी क्या समस्या 🔊

श्री तिलोकी नाथ चतुर्वेदी: आपने यह सही कहा कि जो यहां का कायदा कानून है उसी के अनुसार आप देखेंगी कि क्या कोई चीज ऐसी है होम मिनिस्टर के स्टेटमेंट में जो कि एक्सफंज करने के लायक हो। उसके संबंध में मुझे केवल निवेदन यह करना है, उन्होंने कहा कि जो उन्होंने प्रोसीजर फॉलो किया वह सही था, उसके प्रोसीजर के इम्प्लीमेन्टेशन में कहीं कोई गलती हो सकती है, तो वह सरकार रेक्टफाई करेगी। उन्होंने पूरे अपने ऊपर के बयान में कोई भी यह नहीं कहा कि महाराष्ट्र की सरकार का एक्शन वह सही है।...(ब्यवधान)...

उपसभापतिः अभी आप लोग चुप हो जाइए। वह मुझसे बातें कर रहे हैं।

I will answer him. He is addressing the Chair. If he is addressing the Members, then you can react. I agree with you, Chaturvediji. I will look at the records. The question that was raised in the House was about not following a proper procedure. That was the basic thing. No Act was mentioned when these people were arrested. When we arrest somebody, we do put आपको मालूम है कि कोई दफा लगाए बिना आप किसी को अरेस्ट नहीं कर सकते। This is a wrong procedure. अगर इम आपको कुछ कहते हैं तो कानून के तहत ही इस हाऊसं में भी बोलते हैं, तो वह कानून का छित्रंस होना आहए। यही बात सलीम साहब ने उठाई थी। That is the only thing.

SHRI B.P. SINGHAL (Uttar Pradesh): These people had been sent not by Maharashtra Government's order, but by the order of a Metropolitan Magistrate.

Now, till such time as the Magistrate's opinion is not reversed, it will have to be held as valid. What is wrong with it?

THE DEPUTY CHAIRMAN: I will tell you one thing. The matter is closed because the Home Minister has gone. I don't want to reopen the discussion which has taken hours in this House. I am not reopening the issue after the Home Minister has replied. If anybody wants to raise any other issue, I will permit it. Otherwise, the whole issue will be reopened with the Home Minister not being there.

VENKAIAH NAIDU: SHRI M. Madam, I have a submission. The issue that was discussed here since morning is pending before the Calcutta High Court. I am trying to understand myself. Just now the Chair has ruled that on a matter which is sub judice and pending before the Calcutta High Court, no comment should be made. The Home Minister made some comment. You were kind enough to say that you will go through the record and all that. My only submis sion is that what has been happening since morning till now was precisely the same. Motives were attributed, names were taken and the Police was also named

The matter is pending there...(Interruptions)...

THE DEPUTY CHAIRMAN: You are mixing it up. I will explain to you. ...(Interruptions)...

SHRI M. VENKAIAH NAIDU: I am not asking the Chair to explain. Kindly guide me. I have no right to ask the Chair also to explain to me. I am only requesting for guidance. ...(Interruptions)... I can make thousands of comments on him.

*...(Interruptions)...

THE DEPUTY CHAIRMAN: Don't fight and argue over here. You address the Chair Mr. Salim, please sit down.

SHRI MD. SALIM: He is threatening me before the House.

(Interruptions)...* (Interruptions)...

SHRI M. VENKAIAH NAIDU: * ...(Interruptions)... You are a senior Member and be considerate to others. Don't make charges against Members who are speaking.

उपसभापतिः वेंकैया जी. जरा एक मिनट आप बैठेंगे? I have listened to you. As I said, once I have given my ruling, once the Home Minister is gone, once the matter is closed, I will not open it again. Please don't ask any question and don't comment anything. I will look at the record. The permission was given by the Chair. My ruling was only specific whether at a particular point of time the procedure and rules were being adhered to. I wanted to see whether they were adhered to or not. What the Home Minister said was objected to. The Home Minister agreed to it.

SHRI M. VENKAIAH NAIDU: I am not talking about that.

THE DEPUTY CHAIRMAN: Now that matter is close....(Interruptions)... I am not listening to anything. Why don't you understand it? If you are going to speak on the same subject, Lam not going to hear you.

अगर आप उस विषय पर बोलेंगे तो नहीं। ...(व्यवधान)...

SHRI M. VENKAIAH NAIDU: I am not going to speak at all. They were requesting the Chair to expunse such remarks which were made with reference to the matter pending in the Calcutta High Court. Then why were charges made against the Maharashtra Government and Mumbai Police in particular? The matter is pending in the court. Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN: The matter is not pending about the Maharashtra police alone. It has other

ramifications. There are different matters which are pending. I will look at the record, I assure the House, and see what is there. Okay. Now that matter is close. Now we take up discussion on the working of the Ministry of Industry.

SHRI GURUDAS DAS GUPTA: Madam, where is the Minister of Industry?..(Interruptions)...

SHRI JAYANT KUMAR MALH-OUTRA (Uttar Pradesh): Madam, it is a very serious matter. ...(Interruptions)...

THE DEPUTY CHAIRMAN: Mr. Badal is here. Mr. Badal never comes here so often, so we don't know. Please sit down. ...(Interruptions)... Did we have lunch hour today?

SOME HON, MEMBERS: No.

THE DEPUTY CHAIRMAN: It is not fair that all of us should keep on working. ...(Interruptions)...

SHRI JAYANT KUMAR MALH-OUTRA: Madam, it is a very serious subject.

THE DEPUTY CHAIRMAN: Tomorrow, we don't have Question Hour. I think we can take it up. If the House so agrees, I have no problem. I can sit.

प्रो॰ विजय कुमार मल्होत्राः मैहम, कल आठ घंटे का जो गनवीमेंट का बिजनेस है, उसके लिए कल का टाईम रखा है। या तो यह डिबेट 5 तारीख को हो सकती है।

The Business Advisory Committee has already fixed eight hours for tomorrow. This will again happen tomorrow. Right from eleven to seven, we have to sit for Government Business tomorrow. The day after tomorrow's Business has also been fixed. So, all the days Business has been fixed which means the discussion on Industry will never come up. We agreed to it and kept five hours for it. ...(Interruptions)... The Minister is here. ...(Interruptions)...

SHRI SANTOSH **BAGRODIA** (Rajsthan): Madam, five hours have been allocated for it. Do we have five hours today?

PROF. VIJAY KUMAR MALHOT-RA: Yes, we can discuss it today.

SHRI JALALUDIN ANSARI (Bihar): Where is the Minister of Industry?

उपसभापतिः एक-एक करके बोलिए। आप लोग साथ में क्यों बोलते हैं।...(व्यवधान)... एक-एक करके बोलिए।...(व्यवधान)...

PROF. VIJAY KUMAR MALHOT-RA: The Cabinet Minister is in the other House. ...(Interruptions)...

SHRI SANTOSH BAGRODIA: He should be present in this House.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI SUKHBIR SINGH BADAL): He will be coming here very shortly.

SHRI JAYANT KUMAR MALH-OUTRA: Madam, this subject is very import. ...(Interruptions)...

THE DEPUTY CHAIRMAN: There is a Parliamentary Affairs Minister. He should come and tell us where the Cabinet Minister, who happens to be the Leader of the House, is. It is a five-hour debate which we are going to have. I don't understand if Members are going to sit without lunch for another five hours. If you are willing to sit, please sit. ...(Interruptions)... Just a Minute. ...(Interruptions)... If we keep on saying that the debate should be started, I do not know how we will conclude it. ...(Interruptions)... According to Mr. Malhotra there is a full day's Business for tomorrow. ...(Interruptions)...

SHRI S. VIDUTHALAI VIRUMBI: Madam, I suggest that we can sit up to eight o' clock and ...(Interruptions)...

THE DEPUTY CHAIRMAN: But, where is the Minister?...(Interruptions)...

PROF. VIJAY KUMAR MALHOT-RA: The Cabinet Minister is coming....(Interruptions)...

THE DEPUTY CHAIRMAN: Shri Sikander Bakht Saheb has written a letter to the Chairman. ...(Interruptions)... Then we have two Half-an-hour Discussions at 6.30 P.M. It is already 4.45 P.M. It cannot be finished today. ...(Interruptions)...

प्रो॰ विजय कुमार मल्होत्राः सिकन्दर बख्त साहब अभी चार बजे के बाद दूसरे हाउस से आ रहे हैं। (व्यवधान)

AN HON. MEMBER: The Industry Minister is not here. ... (Interruptions)...

THE DEPUTY CHAIRMAN: I have a letter written to the Chairman by Shri Sikander Bakhtji that he has business pending in the other House where he has to deal with it. Here in the Rajya Sabha that Ministry is coming up for discussion. So, how can he be at two places at a time? I would request somebody should go and find out as to at what time he would be coming. There is no point in discussing the Ministry if the concerned Minister is not here.

PROF. VIJAY KUMAR MALHOT-RA: He will be coming at five. ...(Interruptions)...

SHRI MD. SALIM: We do not want Mr. Malhotra to tell us in this regard. ...(Interruptions)... The Minister for Parliamentary Affairs should explain the position. ...(Interruptions)...

उपसभापतिः मल्होत्रा जी, आप क्यों जिम्मेदारी अपने सिर पर ले रहे हैं? ..(क्यवधान)..

प्रो॰ विजय कुमार मल्होत्रा: इसका मतलब है कि इंडस्ट्री पर डिस्कशन नहीं होगी। ...(ट्यवधान)

श्री खान गुफ़रान ज़ाहिदी: मैडम, क्या यह मुमिकन है कि अगर लेच किप हो गया हो तो टी टाइम 15 मिनट के लिए कर दिया जाए।

प्रो॰ विजय कुमार मल्होत्राः जी हां, 15 मिनट के लिए ऐडजर्न कर दीजिए।..(व्यवधान)..

THE DEPUTY CHAIRMAN: We can do that. ...(Interruptions)... Mr. Badal, you have to find out whether Mr. Sikander Bakhtji, who is the senior Minister, will be available at five o' clock.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI SUKHBIR SINGH BADAL): Madam, I will check up and inform. ...(Interruptions)...

प्रो॰ विजय कुमार मल्ह्येत्राः मैडम, 15 मिनट के लिए हाउस ऐडजर्न कर दीजिए।..(स्थवधान)..

उपसभापति: चाय का बेक हो सकता है, खाने का भी हो सकता है, घर जाने का भी हो सकता है पर The point is that this is not the way to run the Government.

Sikander Bakht Saheb is busy and has written that he has not given any specific time that he will come at a particular point of time. Everytime Mr. Malhotra is coming to the rescue of the House. He is taking all the responsibilities. We thank him for that because he is taking most of the responsibilities of running the Government on behalf of the Government. But, there is nobody else.

एकं माननीय सदस्यः इनको मंत्री बना दीजिए। ..(व्यवधान)..

THE DEPUTY CHAIRMAN: I would be very happy if he becomes because atlest he will be in our House.

प्रो॰ विजय कुमार मल्होत्राः अभी चाय के लिए ऐडर्जन कर दीजिए।..(ब्यवधान)..

THE DEPUTY CHAIRMAN: I adjourn the House till 5.30 P.M for tea.

The House then adjourned at fortyeight minutes past four of the

The House reassembled at thirty four minutes past five of the clock,

The Deputy Chairman, in the Chair श्री संघ प्रिय गौतमः मैडम, मेरा एक सुझाव है। सदस्य तो काफी संख्या में आ गए हैं लेकिन यह जो विषय है उद्योग का यह लम्बा चलने वाला विषय है। सदस्य सुबह से लगातार बैठे हुए हैं, मानसिक दृष्टि से धके हुए हैं। इसलिए इस विषय को कल ले लिया जाये।

THE DEPUTY CHAIRMAN: I had also a discussion in my chamber. I think, five hours have been allocated for the discussion on the working of the Ministry of Industry. Though Mr. Sikander Bakht, the Minister concerned and the Leader of the House is here, the Members feel that there should not be any broken discussion on the subject. So, we can take it up

tomorrow. Tomorrow we have no Question Hour. So, we can start the discussion at 11 o'clock and finish it as soon as possible. It is not necessary that we should have the discussion for full five hours, that have been allotted. If we really want to discuss it thoroughly even four hours' discussion is enough. So, accordingly we can talk to the Members and we can even reduce its time, so that the discussion is meaningful and over ...(Interruptions)... So, now we have two half-an-hour discussions at 6 o'clock. But, the Minister of Agriculture is not here ...(Interruptions)...

SHRI SANGH PRIYA GAUTAM: The Labour Minister is also not here.

THE DEPUTY CHAIRMAN: Yes. the Labour Minister is also not here because they did not know that we have preponed it. We had not taken the decision earlier. We have decided it now ...(Interruptions)... No, no Special Mentions. Special Mentions are coming like a ...(Interruptions)... So, now we have about 25 minutes, if the House agrees we can adjourn till the Minister comes ... (Interruptions)... Because, the Minister did not know that we have changed the decision. ...(Interruptions)... Yes, one Minister is dealing with both the subjects. We cannot sit in a vacuum ... (Interruptions)..

SHRI JOHN, F. FERNANDES: Madam, the Salaries Bill is pending with the Government. The Minister for Parliamentary Affairs had assured that the Cabinet will reconsider the matter. So, I want to have a response from the Leader of the House whether the Government is serious about it or not. (Interruptions).. It is not only the question of the salary of Members of Parliament, but also of Parliament officials. The judiciary has increased the salary of its employees. The Fifth Pay Commission's report has come into force. I do not know why we are being discriminated against ... (Interruptions)...

THE DEPUTY CHAIRMAN: I would not like him to make any comment on it,

'ves' or 'no' because I had some discussions in this matter, which we are taking up with the Government in a different way. Till that is over, he should not comment.

If he wants to say something else, that is different. (Interruptions)

THE MINISTER OF INDUSTRY (SHRI SIKANDER BAKHT): Madam, I am tongue-tied. But, my heart is with Mr. John.

श्री संघ प्रिय गौतमः इसको डेफर कर दीजिए फार इनडेफिनेट पीरियड।

उपसभापति: ऐसी इरिस्पासिबिल बात मत करिये, डेफर कर दीजिए।

because both the Houses of Parliament have constituted several committees. It is not just this Government which is concerned with this, but it is ...(Interruptions)... It is not only this Government, but the previous Government also had this problem. (Interruptions) So, we wil'. discuss this matter and take it up tomorrow. (Interruptions)

श्री दीपांकर मुखर्जी: जो ततखाह बाकी है मिनिस्ट्री में वह पैसा भी दिला दीजिए ना। आप बोलिए आपने अभी हां किया है।

उपसभापति: इनका दिल आपंके साथ है और दिमाग आपके साथ नहीं।

श्री दीपांकर मखर्जी: जो वर्कर्स के स्टैटटरी इयुज है, जो तनख्वाह बाकी है। ...(व्यवधान).. आप इंसकर बोलिए ना। उन कम्पनियों की जो तनख्वाह बाकी हैं जैसे ईपीईएमएल उनकी तनख्वाह दिला देंगे. वह एश्योरेंस भी दे दीजिए, इंसकर बोलिया ना।

श्री सिकन्दर बख्तः सदर साहिबा, मैं यह कहना चाह रहा हूं कि हमारे कुछ मोहतरम दोस्त ऐसे हैं जो समझते हैं कि यह कह दिया और उन्होंने अपना फर्ज पूरा कर लिया और जहां तक आवाज पहुंचनी थी, वहां पहुंचा दी। जो हम पर गुज़र रही है वह तुम्हें क्या मालुम

المتری سلند دبخت: حدوما حبہ-میں

†[]Transilteration in Arabic Script

उपसभापति: सिकन्दर बख्त साहब का यह कहना है कि इनका दिल आपके साथ है और दिमाग अपनी मिनिस्ट्री के साथ है। He feels that his mind is not here. Now, we are having the halfan-hour discussion.

HALF-AN-HOUR DISCUSSION

On Points Arising out of Answer to Starred Question No. 422 given on 16th July. 1998 regarding growth of fisheries wealth

SHRI A. VIJAYA RAGHAVAN (Kerala): This Half-an-Hour discussion is related to a very important problem faced by the fishermen in our society. There are nearly 2 million fishermen families in our country. They are facing serious problem for their livelihood because of the introduction of large-scale fishing by big trawlers and it has an adverse impact on fishing.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): in the Chair.

Sir, the fishermen are totally different from others in our society. For example, if a worker is working in a factory, he has to interact with others on the way to his factory, he has to board a bus or walk through a street or something like that. Fishermen do their work in the sea. Their interaction with the society is comparatively less. They are the most exploited section of our society. They are the most backward in our society. So, this is a matter which is very much concerned with the most backward section of our society. But if you go into the history of our freedom movement, the fishermen community resisted the foreigners under the leadership of Kunjali Maraikar. It is there in the history of Kerala that he