

MR. CHAIRMAN: It is already 1 o' clock. ...*(Interruptions)*...

SHRI SURESH PACHOURI: Sir, it is already 1 o' clock. We request you to adjourn the House for lunch. ...*(Interruptions)*... We can take up the Passport Bill after lunch. ...*(Interruptions)*... The reply of the hon. Minister can be taken up after the consideration and passing of the Bill.

श्री सभापति : यह बिल तो आधे घंटे में समाप्त हो जाएगा।

श्री सुरेश पचौरी : उस के बाद मंत्री जी रिप्लाय दे दें।

MR. CHAIRMAN: The House is adjourned till 2 o'clock.

The House then adjourned for lunch at one minute past one of the clock. The House reassembled after lunch at three minutes past two of the clock,

THE DEPUTY CHAIRMAN in the Chair

**I. STATUTORY RESOLUTION SEEKING DISAPPROVAL
OF THE PASSPORTS (AMENDMENT) ORDINANCE 2001
(NO. 8 OF 2001)**

II. THE PASSPORTS (AMENDMENT) BILL, 2001

उपसभापति : आप सबको आज ह्युमन राइट्स डे मुबारक हो। आपके भी ह्युमन राइट्स प्रोटेक्ट रहें और चेयर के भी ह्युमन राइट्स प्रोटेक्ट रहें। Now, let us take up Statutory Resolution...

SHRI NILOTPAL BASU (West Bengal) : Madam, actually, the Short Duration Discussion on the growing unemployment problem in the country has been going on for the last three-four days. Therefore, if we could have the reply from the hon. Minister, then we can proceed with the legislative business of the Government.

SHRI SANGH PRIYA GAUTAM (Uttaranchal) : It has been decided earlier...

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI O. RAJAGOPAL) : Madam, in the morning...

THE DEPUTY CHAIRMAN: The time allotted for this Bill is only half-an-hour. Let us finish this Bill first. कुछ तो लेजिस्लेटिव बिजनेस कर लें।

श्री नीलोत्पल बच्चु : लेजिस्लेटिव बिजनेस तो पूरा करेंगे, लेकिन मेरी गुजारिश है।

उपसभापति : आपकी गुजारिश मैंने सुन ली, लेकिन उस पर अमल करना मेरे ख्याल में ठीक नहीं है। लेजिस्लेटिव बिजनेस, श्री राघवन।

SHRI V.V. RAGHAVAN (Kerala): Madam, I move:

"That this House disapproves the Passports (Amendment) Ordinance 2001 (No. 8 of 2001) promulgated by the President on the 23rd October, 2001."

Madam, the usual practice, adopted by the authorities, was that if a necessity arose for revoking or impounding a passport, a Look-out Circular had to be issued. One fine morning, somebody thought it fit to amend the Act. There is no harm in amending the Act. But resorting to promulgation of an Ordinance for this purpose is not justifiable. The Parliament Session was to commence on 19th November, while the Ordinance was promulgated on 23rd October, that is, just three weeks before the commencement of the Parliament Session. What was the necessity for promulgating an Ordinance for this purpose? I think there might be some lapses on the part of the authorities concerned. They thought to amend the Act for some excuses. Madam, this House is very liberal in passing legislations. We are very liberal. During the last session, we passed so many Bills. An Ordinance is promulgated only when an extraordinary situation arises. There was no extraordinary situation to promulgate an Ordinance for this purpose, just three weeks before the commencement of the Parliament Session. I request the hon. Minister of External Affairs to closely look into these lapses. Recently, I read a report in a newspaper that one of our Consulates issued a passport without any scrutiny by receiving 500 dollars. When the scrutiny report came, the same person paid 5000 dollars for overlooking his misdeeds. It is a matter of concern, if our Consulates issue passports, without any scrutiny, by receiving bribe. This is a thing about which we have to be worried. If there is a lapse on the part of the concerned authorities, some drastic action should be taken against them because this is a very serious matter. So, my contention is that promulgating an Ordinance for such a normal thing is not

at all justified. The Government is very frequently resorting to this practice. This is the third Ordinance which has been promulgated, without any justification, that we are discussing. The practice of issuing Look-out Circulars could have continued for one more month. Now, we have been asked to pass this Bill. Certainly, we will be able to pass the Bill. But issuing Ordinance is not justifiable. That is why I have moved this Statutory Resolution.

THE DEPUTY CHAIRMAN: So, you are not against the Bill. You are against the Ordinance. The explanation of this is at the back of it.

SHRI V.V. RAGHAVAN: That is why I said, there was a practice for revoking or impounding passports by issuing a Look-out Circular. It is explained here. That practice could have been continued for one more month. There was no extraordinary situation.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI JASWANT SINGH): Madam, I move:

"That the Bill further to amend the Passports Act, 1967, be taken into consideration."

Madam, I am grateful to the hon. Member for his observations. His principal objection, as you pointed out, relates to the Ordinance and not to the Bill. His second objection relates to some reports that have come to his notice about corruption in some Consulate. About this particular aspect of issuance of passports, I would be very grateful if the hon. Member were to write to me and give me the details. I can assure him that we will attend to the issue very seriously. We will take up every such instance very seriously.

The Passports Act, 1967, *vide* Section 10, contains provisions for variation, impounding and revocation of passports and travel documents. However, there is no provision in this Act to prevent a person wanted for, or indulging in, criminal or anti-national activities, from leaving the country during the period when action to revoke or impound his/her passport is initiated and the passport is actually revoked or impounded. At present, the concerned security and enforcement agencies issue Look-Out-Circulars to prevent such persons from leaving the country, which are then acted upon by the emigration authorities.

I will now explain the reasons for the urgency of issuing an Ordinance. As a few Look-Out-Circulars were challenged in the courts, a need was felt for the introduction of a measure which would temporarily prevent a holder of a passport or a travel document from leaving the country. Any action initiated by an authorised investigating or enforcement agency by issuing a Look-Out-Circular is to be simultaneously accompanied by a request to the Passport Authorities for variation, revocation or impounding of the passport, in accordance with the provisions of Section 10 of the Passports Act, 1967.

In view of the urgency -- there has been an observation from the court; and this is what has lent an urgency to this-- to provide a legal basis for this, and to prevent the departure from the country of persons in respect of whom Look-Out-Circulars already exist, and whose activities were considered prejudicial to the sovereignty and integrity of India, the security of the State or public order, the Passports (Amendment) Ordinance, 2001, was promulgated by the President on Tuesday, the 23rd October, 2001. The proposed Passports (Amendment) Bill, 2001, proposes to replace this Ordinance.

The proposed Bill would empower the representatives of the concerned law enforcement as well as preventive agencies to initiate action to prevent any criminal or anti-national element from leaving the country, even if he/she has a valid passport. Simultaneously, on specified grounds, action would be initiated by the Passport-Issuing Authority for impounding/revocation of a passport or travel document under Section 10(3)(c) of the Passports Act, 1967.

The questions were proposed.

श्री सुरेश पचौरी (मध्य प्रदेश) : आदरणीय उपसभापति महोदया, यह जो पासपोर्ट (संशोधन) विधेयक, 2001 प्रस्तुत किया गया है इससे दो बातें स्पष्ट होती हैं, एक तो सरकार की नीति क्या है और दूसरे सरकार की नीयत क्या है? जहां तक सरकार की नीति का प्रश्न है, महोदया, पासपोर्ट एक्ट 1967 में सैक्शन 10 में जो व्यवस्था थी उसको ध्यान में रखते हुए यह व्यवस्था करने का प्रावधान किया गया है कि इससे एक्ट के सैक्शन 10 के सबसैक्शन (3) की क्लॉज सी में कुछ इस प्रकार की व्यवस्था कर दी जाए कि ऐसे व्यक्ति जो आपराधिक गतिविधियों में लिप्त पाये जाते हैं या ऐसे व्यक्ति जिनकी गतिविधियां संदिग्ध और राष्ट्रविरोधी हैं, देश की एकता और अखंडता को ध्यान में रखते हुए वे इस देश से बाहर न जाने पाएं। जहां तक इस नीति का प्रश्न है, मैं सोचता हूँ कि यह जो सरकार की मंशा है वह मंशा ठीक है। लेकिन जहां तक नीयत का प्रश्न है उस पर कई प्रकार के प्रश्न-वाचक चिह्न खड़े होते हैं। 23 अक्टूबर,

2001 को, जब कि 19 नवम्बर से संसद का सत्र प्रारम्भ होने वाला था जल्दबाजी में सरकार ने एक अध्यादेश जारी करा और उसमें इस प्रकार का प्रावधान रखा। प्रश्न यह उठता है कि ऐसी क्या अरजेंसी थी कि 23 अक्टूबर, 2001 को अध्यादेश जारी करने की सरकार ने आवश्यकता महसूस की। यह पासपोर्ट एक्ट 1967 में पास हुआ, तब से अब तक का जो अनुभव रहा है उसके आधार पर यह जो निर्णय लिया गया मैं इस निर्णय के खिलाफ नहीं हूँ, लेकिन उस आर्डिनेंस के खिलाफ हूँ जो कि राजनीतिक दलों से विचार-विमर्श किए बिना इस प्रकार से अध्यादेश जारी किया गया।

महोदया, मैंने सरकार की नीयत पर कुछ बातें कहने की कोशिश की है। दरअसल यह सरकार बैंक डोर डिसीजन्स करने की आदी हो चुकी है। कुछ ऐसे मामले होते हैं जिनमें अरजेंसी हो तो बात ठीक रहती है, लेकिन कुछ मामले ऐसे होते हैं जिनमें अरजेंसी की आवश्यकता नहीं होती है। मैं सोचता हूँ कि संसद में चर्चा के उपरान्त यदि इस प्रकार का बिल लाया जाए तो इसकी सार्थकता को हम प्रतिपादित कर सकते हैं।

अब प्रश्न उठता है कि इस पासपोर्ट एक्ट 1967 के सेक्शन 10 में और संशोधन करने की आवश्यकता क्यों महसूस हुई? पहला तो सवाल यह उठता है कि पासपोर्ट कैसे बनते हैं? उनमें क्या विसंगतियाँ हैं? खासतौर से पिछले कुछ दिनों से कुछ जो पासपोर्ट जारी हुए, चाहे वह लखनऊ के मिस्टर जौहरी का पासपोर्ट जारी हुआ साइबर स्पेस वालों का जिसके संबंध में माननीय मंत्री जी ने खुद इस सदन में जो बताया कि किन की सिफारिश पर और कैसे वह पासपोर्ट जारी हुआ, जिसके ऊपर कि यूटीआई घोटाले से लेकर के कई प्रकार की कार्यवाहियाँ लम्बित हैं और जिसके कार्यक्रम में न केवल उत्तर प्रदेश के मुख्यमंत्री बल्कि मुल्क के वजीर-ए-आजम अटल बिहारी वाजपेयी भी तशरीफ़ फरमाते थे, तो किस दबाव के कारण उसे पासपोर्ट जारी हुआ, यह एक चौंकाने वाला तथ्य है। इसके अलावा स्वर्गीय राजीव गांधी जी के असेसिनेशन कांड में एक के.पी. हैं जो लिट्टे को फाइनेंस करते थे, उन के.पी. को एक नहीं, महोदया, तीन-तीन पासपोर्ट जारी किए गये। जांच के दौरान इस बात को पाया गया कि वह तीनों पासपोर्ट्स का उपयोग समय समय पर करता था और जब यह मुद्दा उठाया गया तो पाया गया कि जो तीन पासपोर्ट उसे जारी किए गये थे, उससे संबंधित फाइल ही गायब हो गयी। क्या मंत्री जी जब इस बिल पर चर्चा करेंगे तो सदन को यह आश्वासन देने की कृपा करेंगे कि के.पी. जो लिट्टे को फाइनेंस करता था, जिस लिट्टे ने राजीव गांधी जी की हत्या की, उसको जो तीन पासपोर्ट मिले हुए थे वे किसकी सिफारिश पर मिले हुए थे? इसके अतिरिक्त क्या मंत्री जी उस फाइल को ट्रेस कराने के बाद सदन को यह बताने की कृपा करेंगे कि उसका विवरण क्या है? आखिरी बात, मैं जिस भोपाल से तात्लुक् रखता हूँ, उसमें अबू सलीम को पासपोर्ट जारी किया गया है। दारुद के खसमखास अबू सलीम का पासपोर्ट भोपाल में 29 जून 2001 को बना था और पुलिस की सिफारिश पर बना था। यद्यपि नीचे के तीन पुलिस अधिकारियों के खिलाफ कार्यवाही हो गयी है लेकिन जिस थाना परवलिया की सिफारिश पर उसे पासपोर्ट जारी किया गया था, उसके इंचार्ज के खिलाफ कार्यवाही नहीं हुई। महोदया, यह कहा जा सकता है कि यह राज्य का विषय है लेकिन यहां से पहल की जा सकती है कि जब नीचे के पुलिस अधिकारियों के खिलाफ नकली पासपोर्ट बनाने की तसदीक करने के आरोप में कार्यवाही हो सकती है, तो उस थाना परवलिया के इंचार्ज श्री वैश के खिलाफ अभी तक कार्यवाही न करना किन बातों का संकेत करता है?

महोदया, पासपोर्ट बनाने के लिए दरअसल तीन प्रकार के प्रमाणपत्रों की आवश्यकता होती है। एक तो जन्म प्रमाण पत्र, दूसरा उसे दर्शाने वाली मार्कशीट और तीसरा वह डाक्यूमेंट जो उसका पता वगैरह दर्शाता है, उसके लिए राशन कार्ड की व्यवस्था करना। इसके लिए चुनाव आयोग का कार्ड और जो वहां के पुलिस अधिकारी और कलेक्टर रहते हैं, उनका पुलिस वैरीफिकेशन लगता है। पुलिस वैरीफिकेशन में क्योंकि काफी देरी हो जाती है, इसलिए उस देरी को दृष्टिगत रखते हुए कई मर्तबा पासपोर्ट कार्यालय उनको पासपोर्ट जारी कर देते हैं और नीचे एक नोटिंग लगा देते हैं कि इनकी पुलिस वैरीफिकेशन नहीं हुई है। प्रश्न यह उठता है कि फर्जी पासपोर्ट को बनने से कैसे रोका जा सकता है? महोदया, हम बात करें कि पासपोर्ट फर्जी बन रहे हैं लेकिन यह न करें कि इसे कैसे रोका जा सकता है तो हम इसके मूल में नहीं जा पाएंगे। इसलिए मेरा आग्रह है कि जिनके पास पासपोर्ट है और जो अपराधिक कृत्यों में लिप्त हैं, उन्हें बाहर जाने से रोकें, उससे पहले यह भी विचार करना आवश्यक है कि लोगों को फर्जी पासपोर्ट न मिल पाएं क्योंकि वे लोग ही बाहर जाते हैं जो फर्जी पासपोर्ट बनाते हैं। इसलिए फर्जी पासपोर्ट न बन पाएं, उसके लिए सरकार को कुछ कदम उठाने चाहिए। मैं ऐसा मानकर चलता हूँ कि प्रत्येक आवेदक के फिंगर प्रिंट्स लिए जाने चाहिए। इसके अतिरिक्त जो पेशेवर अपराधी हैं, उनके फिंगर प्रिंट्स की भी व्यवस्था होनी चाहिए और आवेदक के फिंगर प्रिंट्स का मिलान उन अपराधियों के फिंगर प्रिंट्स से किया जाना चाहिए कि वह फिंगर प्रिंट्स कहीं उससे तो नहीं मिल रहे हैं। दूसरा, स्थायी पते के लिए जो राशन कार्ड की व्यवस्था करनी होती है, उसके साथ साथ जो पासपोर्ट बनवा रहा है, उसने जिस स्थान का पता दिया है, उस स्थान के जो दो स्थायी निवासी हैं, उनसे भी शपथ पत्र लिया जाना चाहिए ताकि पुलिस वैरीफिकेशन के साथ जो वहां के लोकल रैजिडेंट्स हैं, उनसे भी उसका मिलान हो सके और तीसरी बात यह है कि कम समय में लोगों को पासपोर्ट मिल सकें, उसके लिए बिना पुलिस वैरीफिकेशन के जो पासपोर्ट जारी कर दिये जाते हैं, उसके लिए भी यह व्यवस्था होनी चाहिए कि कुछ समय के बाद उसका पुलिस वैरीफिकेशन अवश्य हो सके ताकि इन चीजों पर अंकुश लगाया जा सके। महोदया, भोपाल की स्थिति यह है कि न केवल अबू सलीम का पासपोर्ट वहां मिला बल्कि कुछ ऐसी अभिनेत्रियां भी हैं, जिनके पासपोर्ट भोपाल से जारी हुए हैं और जब इस बात के तथ्य उजागर हुए तो उसमें से कई रहस्यमय चीजें निकल रही हैं कि किस प्रकार दाऊद वहां पहुंचा करते थे, किस प्रकार से फिल्म अभिनेत्रियों के और फिल्मी दुनिया में काम करने वालों के एक नहीं, अनेक पासपोर्ट वहां से उपलब्ध किए गये हैं। मैं इस विषय में ज्यादा नहीं जाना चाहता हूँ। यद्यपि नैतिक तौर पर मैं इस बात का समर्थक हूँ कि माननीय मंत्री जी जो बिल लाए हैं, अपने आप में यह बिल उचित है लेकिन जिस नीयत से वे इस बिल को लाए हैं, वह नीयत भी ठीक रहनी चाहिए। जिस ढंग से सरकार की ऑर्डिनेंस जारी करने की परम्परा सी बन गयी है, उस परम्परा में सरकार को तबदीली करनी चाहिए और जहां तक इन तीन-चार पासपोर्ट्स का मैंने जिज्ञा किया है, मुझे विश्वास है कि माननीय मंत्री जी जब उत्तर देंगे तो उस संबंध में भी कुछ प्रकाश डालेंगे। इन्हीं शब्दों के साथ मैं इस बिल का समर्थन करता हूँ। धन्यवाद।

उपसभापति : खाली पासपोर्ट ही नहीं, वीजा भी बहुत तादाद में झूठे लग रहे हैं। कल ही अखबार में आया था और फोटो भी आई थी। I think the Police has caught those people with American vizas. टेलीविजन पर भी आया था।

श्री अनन्तराय देवशांकर दवे (गुजरात) : उपसभापति जी, माननीय विदेश मंत्री जी जो पासपोर्ट अमेंडमेंट बिल लाए हैं, मैं इसका पूर्ण समर्थन करता हूँ। माननीय पचीरी जी ने सरकार की नीतियों के साथ जो अपना सुर मिलाया है, लेकिन साथ ही यह भी कहा है कि सरकार की नीयत अच्छी नहीं है। इन्होंने शायद विदेश मंत्री जी को सुना होगा जब वे विधेयक पेश कर रहे थे। तब उन्होंने कहा था कि एंटी नेशनल एक्टिविटी क्रिमिनल अध्यादेश 30 अक्टूबर को उन्होंने क्यों जारी किया। पहले जो लुक आउट सर्कुलर थे, जिनको मूव किया तो सुप्रीम कोर्ट ने उन लुकआउट सर्कुलर पर बैन लगा दिया। हम सब जानते हैं कि 11 सितम्बर के बाद सारी दुनिया में जो परिस्थिति बनी, उस परिस्थिति में दुनिया में ऐसी कई घटनाएं घट रही थीं और यहां इस देश में भी घटने की संभावना थी। ऐसी कोई क्रिमिनल व एंटीनेशनल संस्थाएं यहां भी चल रही हैं जिन पर बैन लगा हुआ है। ऐसी कई डिबेट हमने बहुत बार यहां की हैं कि ऐसे लोग इस देश से कहीं भाग न जाएं। अभी पचीरी जी ने भी कहा कि जिनके पास फर्जी पासपोर्ट हैं, वे चले न जाएं इसका ध्यान रखते हुए यह अध्यादेश अति महत्व और जरूरी बन गया है। सरकार और विदेश मंत्री की नीयत पर कोई शंका करने की वजह ही नहीं है बल्कि सरकार की नीयत बिल्कुल साफ है। ऐसी परिस्थिति न होती तो क्या हो जाता, कई लोग भाग जाते। सारी दुनिया की परिस्थिति बदल गई है। वहां पर लड़ाई चल रही थी, वहां भगदड़ मच गई थी। ऐसी स्थिति में कुछ न कुछ घटना घट जाती। इसी वजह से मैं मानता हूँ कि बहुत सही समय पर सरकार और विदेश मंत्री जी यह बिल लाए हैं लेकिन मुझे इनसे दो-तीन बातें पूछनी हैं। आपने इसमें चार प्रोविजो दिए हैं जिनमें आपने पहले चार-पांच वीक का समय देने की बात कही, आपने एक बात और कही कि नोटिस इश्यु करना जरूरी है। ठीक है, हम सब लोग डेमोक्रेसी में रहते हैं, हम किसी का पासपोर्ट ले तो इसके लिए नोटिस जरूरी है। दूसरा प्रोविजन आपने बनाया है कि कई जगह नोटिस जरूरी नहीं रहेगा, यह भी ठीक है। फिर आपने एक और प्रोविजन बनाया है कि नोटिस का प्रोविजो आफ वेव करते हुए जरूरी लगे तो सैटिफिकेशन के लिए उसे प्रोविजो आफ वेव करके बाद में उसे कुछ बताए। हम जो स्टेट की डेजिनेटेड अथोरिटी बनाएंगे, हम उनको वहां इम्प्लीमेंट करेंगे जहां पर एम्बार्किंग स्टेशन होगा, वहां पर सैन्ट्रल गवर्नमेंट की अथोरिटी होगी और सैन्ट्रल गवर्नमेंट के आफिसर यह न कहें स्टेट गवर्नमेंट की अथोरिटी का किया हुआ आर्डर है, हम स्टेट डेजिनेटेड आफिसर हैं, हम उसका आर्डर नहीं मारेंगे। इसमें कुछ सावधानी की जरूरत होगी। इसी वजह से मैं यह मानता हूँ कि बहुत देर हो जाए और नोटिस देना है तो देना है। वेव करने के बाद हम सोचते हैं कि हमने प्रावधान किया है सैटिफिकेशन के लिए उनको कुछ समय देंगे। मुझे ऐसा लगता है कि यदि इन तीन-चार प्रोविजो के लिए आप मार्गदर्शन देंगे तो अच्छा रहेगा। दूसरी बात जो मैं कहना चाहता हूँ और हमारी स्टैंडिंग कमेटी ने भी एक रिपोर्ट में कहा है कि "During the various on-the-spot study visit of the Study Group of the Committee to the various Regional Passport Offices, a common complaint of the passport applicants was that passports are not issued before 35 days by the Passport Offices even after verification report is received within time." मेरी आपसे यह गुजारिश है कि आज भी पासपोर्ट की बहुत सी एप्लीकेशन्स अहमदाबाद में पेंडिंग पड़ी हैं। पासपोर्ट का वहां गुजरात के लिए एक नया ऑफिस बन गया है, बड़ा अच्छा ऑफिस बना है। जो बेकार लोग थे उन्हें भी आपने सस्पेंड किया है, ऐक्शन भी ले रहे हैं। तब भी बहुत बड़ी मात्रा में, 35000 एप्लीकेशन्स पेंडिंग हैं। लेकिन आज सब लोगों की ऐसी धारणा है यह फिगर 2001 में 2,06000 (दो लाख छः हजार) तक हो जाएगी। मैं

मानता हूँ कि आपने वहाँ एक आई.ए.एस. आफीसर भी नियुक्त किया है ताकि लोगों को जल्दी पासपोर्ट मिले। लेकिन एक दिक्कत यह है कि छोटे बच्चों को भी पुलिस वैरिफिकेशन के लिए बुलाया जाता है, हालांकि ऐक्ट में यह प्रावधान नहीं है। लेकिन पुलिस वाले कहते हैं कि बच्चों को भी ले आओ, उनका पुलिस वैरिफिकेशन होगा। वे दो-तीन साल के बच्चों को भी वहाँ बुलाते हैं। यदि आप इस पर गौर करेंगे तो ऐसी कई कम्प्लेंट्स आपको मिलेंगी। तीसरी बात सिम्प्लीफिकेशन की है। एजेंट की प्रथा तो है नहीं। एजेंट की प्रथा नहीं है तो जैसा आपने कर्नाटक में किया है, राज्य सभा के क्वेश्चन 445 में आपने जवाब दिया है कि "Nine national speed post centres in Karnataka have been collecting fresh passport applications on behalf of passport offices with effect from 5th March, 2001." मुझे लगता है कि सारे देश में लोगों को ऐसी व्यवस्था करनी चाहिए कि जहाँ पासपोर्ट एप्लीकेशन पोस्ट ऑफिस ले और पोस्ट ऑफिस वहीं वैरिफिकेशन कर ले। यदि कुछ अधूरा हो तो वहीं बता दें, वहीं से वापिस दे दें और वहीं पर सबमिट कर दें। इससे एप्लीकेशन कम्प्लीट हो जाएगी। इसके बाद एप्लीकेशन पासपोर्ट ऑफिस, जहाँ इसका हेड क्वार्टर है, जाए और कम्प्लीट होकर वापिस पोस्ट ऑफिस आ जाए तथा जिसकी है उसे मिल जाए। इस तरह के आपने जो जवाब दिए हैं, कर्नाटक में तो व्यवस्था भी की है उससे मुझे लगता है कि यह बहुत अच्छी व्यवस्था है और गुजरात में दो जगहों पर - एक कच्छ सौराष्ट्र और दूसरा सूरत में इसकी जरूरत है। देश के अन्य भागों में भी जरूरत इसकी होगी। मुझे लगता है कि ऐसे प्रावधान करने से जिन लोगों के एप्लीकेशन के आज पासपोर्ट ऑफिस में ढेर लगे हैं वे कम हो जाएंगे। जो प्रोसिजर सिम्प्लिफाई होगा उस प्रोसिजर से भी आप आगे बढ़ेंगे। मुझे लगता है कि जो प्रावधान आपने नये ऐक्ट में किए हैं वे सही हैं और ऐसे प्रावधानों की जरूरत थी। यदि ऐसे प्रावधान करेंगे तो देश में एंटीनेशनल या जो क्रीमिनल लोग बाहर जा रहे हैं उनके सामने एक बड़ा खतरा आ जाएगा। सरकार एक अच्छा बिल लाई है और मैं उसका समर्थन करता हूँ तथा उसके लिए धन्यवाद देता हूँ।

उपसभापति : बच्चों को ले जाते हैं, गल्फ में छोड़ आते हैं ऊंट पर बैठने के लिए इसीलिए वैरीफाई करना पड़ता है कि बच्चा उन्हीं का है या किसी और का पकड़कर ले जा रहे हैं।

श्री अनन्तराय देवशंकर दवे : मदर के साथ जो दो तीन महीने का या छह महीने का बच्चा होता है उसे भी बुलाते हैं।

उपसभापति : मान लीजिए कि बच्चा नहीं है और फोटो किसी और का लगा दिया तो वट इज द हार्म?

PROF. (SHRIMATI) BHARATI RAY (West Bengal) : Madam Deputy Chairman, the question which I wanted to put has already been put by the hon. Members, Shri Suresh Pachouri and Shri Raghavan. But I will repeat it because it is very important point. This Government is having a bad habit of issuing Ordinances first and then trying to pass them as Parliament statutes.

SHRI SANGH PRIYA GAUTAM (Uttaranchal) : Earlier practice is being continued.

PROF. (SHRIMATI) BHARATI RAY: The same is the case with the POTO. ...*(interruptions)*... Whoever does it, it is a bad thing, particularly, when the Parliament session was three weeks away, you promulgated an Ordinance. Naturally, people will doubt the intention and the policy of the Government. Secondly, the Bill is apparently meant against terrorists, but it contains the risk of being applied against others as well. Any "inconvenient" person, anyone whom the Government does not want to go abroad, may be prevented from going abroad. Empowered by this Bill, if it becomes an Act, it is possible to stop the programmes of an independent-minded journalist, a noted author, maybe a historian who does not see eye to eye with the Government or is likely to project an alternative view-point, maybe on the secular character of the Indian culture, maybe on the multi-cultural history of India, maybe on the disadvantages of too much dependence on the USA or whatever. Therein lies the chief flaw of the Bill. Indeed, the potential danger concealed in the innocuous-looking provisions is that they may be misused for a political purpose.

I come to my third point. It may be misused, more so, because the Bill, if made an Act, will give too much power to the bureaucrats. A "designated officer", to quote the Bill, means such officer or authority designated as such by the Government. An ordinary officer also, even an immigration officer, may be designated as such by the Government. Very low ranking officers may harass "inconvenient" people, may altogether prevent them from going abroad. Where is the right of travel? Where is the freedom of movement? These things may be curtailed. Was it necessary? Section 10 of the principal Act does empower the passport authority to "cancel the endorsement on a passport or travel document", even to "vary or cancel the conditions" under which the document was issued. This is section 10 of the principal Act. It may even ask the holder to deliver the passport. Only it requires a notice or order in writing. Now, why should it take too long for this? According to the Statement of Objects and Reasons, a long time may elapse "when action to revoke or impound the passport was initiated". This is interfering with private lives for bureaucratic inhibitions. As we have heard hon. Member Mr. Suresh Pachouri with elaborate details on inefficiency, the passport offices are not

working properly, the computerised enquiry system is non-functional, the police verifications are not done or when done, not speeded up, passports are fake and photographs are not genuine, as Madam herself pointed out. The point is, the entire official infrastructure is inefficient. And, should private citizens pay for it? I would request the hon. Minister to take these aspects into consideration before having the Bill passed. Thank you.

SHRI RAMA MUNI REDDY SIRIGIREDDY (Andhra Pradesh): I thank you, Madam Deputy Chairman, for having given me an opportunity to speak on this Bill. Though this Bill has a very limited scope and objective to achieve, it has got its own importance since it gives authority to the Government or the designated officer to suspend a passport or travel document for a prescribed period. So far, this has been done through Look-Out circulars to prevent such persons from leaving the country. Though I welcome the move of the Government, I have a few clarifications to seek from the hon. Minister and hope the Minister, during the course of his reply, would address the issues that I am going to raise.

The next point is, you are inserting a new clause, 10A, after section 10 of the principal Act, and it says, "Without prejudice to the generality of the provisions contained in section 10, if the Central Government or any designated officer is satisfied..." Here, I would like to point out as to who is the designated officer. Is he the passport officer or any other authority? It has not been made clear even in the explanation given. If the designated officer is the passport officer, then sub-section 2 of section 10 of the Passports Act, 1967, says "The passport authority may, on the application of the holder of a passport or travel document, and with the previous approval of the Central Government also vary or cancel..." Here, he can do so, but only with the prior approval of the Central Government. But, according to the proposed clause 10A(1), the Central Government or the designated officer may suspend any passport or travel document without any approval of the Central Government. So, in my opinion, there is a contradiction. I request you to clarify this point. Even under section 6 of the Passport Act, the passport authority can refuse to make endorsement to visit any country by any person. But, this provision has rarely been used.

The next point is, we have a lot of problems with regard to issuance of passports. Applications are piling up in the passport offices in

the country. The number of passport applications pending in the Regional Passport Office, Hyderabad, is more than 14,000, in spite of getting a clearance from police. Sir, Hyderabad stands second in the country after Ahmedabad with regard to pendency and delay in issuing passports. I would like to know from the hon. Minister as to what the Ministry is doing to reduce the pendency in Hyderabad Passport Office.

The other point is that there is a lack of coordination between the passport offices in the country and the local police because the verification is to be done by the local police. What is the Ministry doing to have a better coordination between the passport offices and the local police for speeding up of the issue of passports and, to what extent, has the Regional Passport Office at Hyderabad been computerized? The Group of Ministers on National Security has also recommended for speeding up the issuance of passport. I would like to know as to what the Ministry has done in this regard. A proposal for introduction of German Passport Writing Machines in the Regional Passport Office at Hyderabad is lying pending before the Ministry for some time now. I do not know what progress has been made in this regard. I would like to know from the hon. Minister by when the Government is going to procure those machines and install them in the Hyderabad Passport Office and how the new machines prevent frauds.

The next point is, according to the proposed sub-clause (b) of clause 10A, the passport or the travel document may be suspended for a period not exceeding four weeks, and the same is released only after the proceedings pertaining to variation, impounding, revocation, etc., are over. As we all know the complex legal and other procedures in the country, I do not think, the whole process would be over within four weeks. Hence, I suggest that the period of four weeks may be extended to eight weeks, or, you prescribe a definite time-limit that within four weeks the proceedings relating to variation or impounding or revocation should be completed, and it should be decided whether to confiscate passport or to release it.

There was a proposal before the Ministry for the Visa-on-arrival Scheme from 16 countries. What has happened to that proposal? Why has the Government kept that proposal in abeyance? The hon. Minister may kindly explain the reasons.

And, finally, from which date is the Ministry issuing the Look Out Circulars to enable it to prevent a person, indulging in criminal or anti-national activities, from leaving the country? Madam, these are some of the points which I thought that I should bring to the notice of the hon. Minister and request him to enlighten me on these points. With these words, I once again support the Bill moved by Shri Jaswant Singh. Madam, I thank you.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Madam Deputy Chairperson, I stand to support this Passports (Amendment) Bill, 2001. However, availing of this opportunity, I would like to put on record some points that emanate from this Bill. This Amendment Bill is brought before us with a good intention. It is not only for impounding the passports, but also for restricting a person from going abroad. This is the main crux of this Amendment Bill. But, at the same time, what is the reality? After a person applies for a passport, when it goes for police verification, there is no format for that verification, in India. If there is a format applicable throughout India and if it is made time-bound, it will be helpful to the persons who apply for the passports. Now, what happens is this. When the application goes for verification, to the police station, after some months, the applicants are coming to the MLAs and MPs, with a request to recommend their case. In the prevailing condition in the country, it is very difficult for us to issue a recommendatory letter to those who apply for the passports, unless we know them personally. It is very difficult. Since we are public persons, they bring someone else, who, in turn, requests us to issue a recommendatory letter. When an application goes to the police station for verification, after getting it verified, whether the verification is positive or negative, the verification report should be submitted within a particular time. It should be done in a time-bound manner. It is very essential for easy issuance of passports. This is the first point.

The second point is this. The intention of this Amendment Bill is to prevent people with shady backgrounds or history-sheeters from going abroad as also to impound the passports. There are so many reasons for impounding a passport, like in wrongful possession of a passport, suppression of material information, the interests of the sovereignty and integrity of the country, the person has been convicted, a case is pending before a criminal court, etc. Suppose a person is convicted for a period of two years, after the issuance of the passport, then his passport could be impounded. This is the provision in the Passports Act. It is mentioned in

clause (d) of sub-section (3) of section 10. If he is already convicted for two years, during the five years immediately preceding his application, he is barred from getting a passport. That is clause (e) of sub-section (2) of section 6. I would like to know from the Hon. Minister, if a person is convicted and he suppresses the fact that he is convicted, what is the mechanism to find out that the person who has applied for the passport is convicted or not. There is no mechanism. Now, there are computers. The computer networking system is there throughout India. Therefore, the Government should concentrate on this area. If anybody is convicted for more than two years, his name should be there in the record of the passport office. Otherwise, this particular clause is not going to be acted upon. As regards verifications, I have already dealt with it.

We are talking about the passports issued by the Government. Yesterday, there was a news-item in THE HINDU, "Fake Visa Racket Busted, Four Held". It says, "Four persons running a fake visa racket have been arrested by the Economic Offences Wing of the Delhi Police. The racket -- flourishing for the past three years -- was being led by ...". I do not want to identify the persons who were running it and who were connected with it. Madam, they were able to run a fake visa racket in the Capital continuously for three years without any problem. Those who were issuing these visas were charging between Rs. 1 lakh and Rs. 10 lakhs. Even a foreign national, who was working in an Embassy, is involved in this business. I do not want to mention the name of the country. Sir, the police recovered 39 original passports and 200 sets of documents pertaining to visas. This is one example of how a fake visa and passport racket is actually being run in several parts of the country. How are we going to catch these people? These people could be caught only when somebody gave some information about them. I feel that our intelligence should be improved further to see that if anybody indulges in such a fake business, he is nabbed within a fortnight. Our intelligence should be activated. In the last three years so many fake visas might have been issued. They were issuing these fake visas in a foolproof manner. It further says, "The stickers provided by them not only looked authentic but also passed the positive glow test on a device kept in their office. This demonstration assured the customers that they have got the authentic visas. Once assured, the customers would pay the remaining amount". The anti-social elements can make use of such fake visas and act against the interests of the nation.

The Act says that if somebody acts against the sovereignty and integrity of the nation, he would not be issued a passport. This fake visa racket negatives that purpose.

The Bill which has been brought before the House, has been brought with good intentions. This Bill has been brought before the House to prevent a person indulging in criminal or anti-national activities from leaving the country during the period when action to revoke or impound his passport is initiated. The intention behind the Bill is appreciable. Therefore, I support the Bill. Thank you.

SHRI KAPIL SIBAL (Bihar): Madam, I am grateful to you for having given me this opportunity to participate in the discussion on the Passports (Amendment) Bill, 2001. I am afraid, this Bill which has been moved, is oblivious of certain basic Constitutional rights which are guaranteed to us. As you are aware, in the Maneka Gandhi case, the Supreme Court held that the right to travel abroad is part of the Fundamental Rights enshrined in Article 21 of the Constitution that no person shall be deprived of his life or liberty except in accordance with the procedure established by law. The Supreme Court further held that that law, the substantive law must be reasonable and the procedural law must also be reasonable. "...If both the substantive law and the procedural law are not reasonable, then, it is liable to be struck down." What does this Bill seek to achieve? Madam, in a nutshell, what this Bill says is that if anybody, holding a passport, wants to travel outside India, and the Government comes to a conclusion that his activities are such that will affect the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country or are not in the interest of general public, it is only in those circumstances that that person's passport can be suspended and he or she not be allowed to travel abroad. What is interesting is that this power is not reflected in other provisions of Section 10 of the original Act. Let me just indicate to you some other provisions. Section 10 (3) of the Act says that the Passport Authority may impound or cause to be impounded or revoke a passport or a travel document if the Passport Authority is satisfied that (a) the holder of the passport or the travel document is in wrongful possession thereof; (b) if the passport or travel document was obtained on the basis of suppression of material information or on the basis of wrong information provided by the holder; (d) if the holder of the passport or travel document has, at any time, after the issue of the passport, been convicted by a Court of India; (e) if

proceedings in respect of an offence alleged to have been committed by the holder of a passport or a travel document are pending before a criminal court; (f) if any of the conditions of the passport or travel document have been contrary. In all of these situations, there is no power provided in the Act for suspension. In other words, if a person is convicted of an offence, there is no power provided in the Act that his passport can be suspended. If criminal proceedings are pending against him, this clause doesn't apply. The provision in this Bill is substitution of Section 10 (3) (c) of the Act and I will read out the Section. It says: "Without prejudice to the generality of the provisions contained in Section 10, if the Central Government or any designated officer is satisfied that the passport or travel document is likely to be impounded or caused to be impounded or revoked under clause (c) of sub-Section (3) of Section 10 and it is necessary in the public interest so to do, it or he may - (a) by order suspend, with immediate effect, any passport or travel document." So, the power of suspension is limited to Section 10 (3) (c), and not to Section 10 (3) (a), not to (b), not to (e), not to (f), which relates to criminal proceedings against persons. But why only (c) is, because (c) is an omnibus clause, namely, if the Passport Authority deems it necessary so to do in the interest of sovereignty and integrity of India, the security of India, relations of India with any foreign country or in the interest of the general public. How is our Designated Authority going to apply its mind that somebody's visit to another country is not in the interest of general public? Or, if he were a criminal, then, that power should be given to him and that power would be in pursuant not to sub-Section (3) (c), but to other provisions of this very Act. The Government should explain to us why this power is limited to Section 10 (3) (c) and not apply to other provisions of this Act because those are the real provisions. That is why I agree with the learned hon. Member, Shrimati Bharati Ray, when she says, "If the Government believes that somebody going out of the country may propagate something which is not consistent with the views of the Government because that may affect the friendly relations with the other country and affect the general public interest, he will then suspend that passport." This is unthinkable; because right to travel abroad is a part of fundamental right. What is the criterion that the Government will apply or the Designated Authority will apply when that Designated Authority decides that the travelling of this person is contrary to the general public interest? Who decides that? What general public interest is; it is the perception of the Government of the day. What friendly relations with another State are; it is again the perception of the Government of the day. I may want to go on

3.00 p.m.

an educational trip; I may want to propagate my ideas which may not tally with those of the Government.

Then it will be against the general public interest. So, it is fundamentally flawed. Suppose, a person is a criminal and proceedings are pending against him, there is no power in this Bill which allows his passport to be suspended, except under 10(3)(c). So, I have still not been able to understand what the purpose of this Bill is.

Madam, the other very serious issue is this. If an order is passed under 10(a), that is, the amended provision 10(a), then as per the proviso, there must be reasons recorded in writing and those reasons must be given in a show cause notice within four weeks to the persons concerned. That is the first proviso. The second proviso says that for reasons to be recorded in writing, that show cause may not be issued. This is very strange. I will read it to you. It says, "Provided that the Central Government or the designated authority may, if he or she considers appropriate, extend by order, and for reasons to be recorded in writing, the said period of four weeks till the proceedings relating to variation, impounding or revocation of travel documents under section 10 are concluded; provided further that no order under this sub-section shall be passed unless a notice in writing to show cause has been issued to the holder of the passport or the travel document; provided also that the Central Government or the designated officer may, for reasons to be recorded in writing, and in the public interest, waive the requirement of issue of notice". So, on the one hand you say you must give notice within four weeks and, on the other hand, you say, he may give reasons in writing and waive the period of notice, that is, no notice may be given in four weeks, that means the man whose documents you have suspended, will not know what the reasons for suspension are and then you say -- and this is the most unkindest cut of all -- "provided also that every holder of the passport or the travel document in respect of whom an order under the sub-section had been passed without giving him a prior notice, shall subsequently be given an opportunity of being heard". So, that means, that is post-decision hearing. What will happen? In the general public interest, sovereignty of the State, integrity of the State, good relations with foreign

countries, you will suspend somebody's passport. Then you will record a reason; no need to give him a notice in the public interest. Then you will say to him -- which is post-decisional hearing - "You come to me". There is no time-frame fixed for that. This post-decisional hearing can carry on for six months, one year, two years, three years; no time is fixed. Is this procedurally reasonable? Is this how fundamental rights of the citizens of this country are to be treated? I can understand, Madam, if such a power is given in respect of a person who is being prosecuted for a criminal offence. I can understand a situation when a person is incarcerated already, and temporarily he wants to go abroad, and there is suspension. I can understand if he is likely to commit an offence. I can understand if he is suspected of an offence. What did we see the other day? A person was apprehended in Madras. He and his wife wanted to go abroad and he was apprehended at the airport in Madras; he was told, "We can't let you go abroad; we have a notice for you". That person happened to be a person against whom the Government is carrying on certain proceedings before SEBI. He was not given any reasons. For 28 hours, he was detained in Madras. Nothing was found. He is one of the ten highest taxpayers in the country. There are no tax dues from him, and he was detained! Now, such a power was used against such a person because that person exposed this Government and brought those photographs before the public. The travel of such a person will be suspended because it is against the general public interest, it is against security of this country! You have nothing against him. You have no offence registered against him. There is no suspicion of an offence against him. There are no proceedings pending against him. The point that I am making is, Madam, what this power does, is to allow the Government to suspend the passport of a person against whom there are no proceedings pending under any statute -- neither under any criminal statute nor under any taxing statute, nor any other statute. Is the grant of such a power consistent with the high constitutional principles of a civilised democracy? That is the question that I want to ask the hon. Minister, through you, Madam. Is such a power, a reasonable grant of power? Is such a procedure, a reasonable procedure to be adopted, when you tell him, "We won't give you the reasons, even though you are not indicted under any law, even though you are not a criminal"? If the Minister tells us that this power will not be used against any person against whom no proceedings are pending in the court or contemplated in the court, I can understand that. But, otherwise, what will happen is, a person is given notice; he does not know the reasons; a special order is passed that 'we

need not give him the reasons'; he is given a post-decisional hearing; there is no timeframe for that post-decisional hearing, that may go on for months and years, and the man will not be able to travel abroad, despite the fact that the Supreme Court says that the right to travel abroad is a fundamental right. How do we match these things? Of course, we can never dispute the intent of the legislature in passing an enactment, but we can, certainly, dispute the intent of the Government proposing a particular piece of legislation. I am afraid, unless the Government is able to establish and able to explain as to why this power is limited only to 10(iii)(c), we do believe that this power is going to be used for motives which are personal to the Government; and that really is my worry. It is not only the Indian Supreme Court; even the U.S. Supreme Court has held that travelling abroad is a part of liberty of which a citizen cannot be deprived, without due process of law. This is also part of the law of the United Kingdom, but nobody there has this kind of an omnibus power. I am afraid, if you look at some other enactments that are going to come during the weeks to come, the same kind of omnibus powers are being granted by the Government to itself, to use them in appropriate circumstances, directed against particular individuals or individuals having a particular political faith. I am afraid, this does not augur well for democracy. I beseech, through you, Madam, the hon. Minister to explain to us as to why this power is limited to 10(iii)(c) and why it is not being applied to other provisions, in respect of individuals who are either already indicted or against whom some proceedings are pending. Thank you very much, Madam.

श्री बालकवि बैरागी (मध्य प्रदेश) : महोदया, मुझे सिर्फ यह निवेदन करना है कि यदि यह कानून पास हो जाता है तो विदेशों में जो कवि सम्मेलन और मुशायरे होते हैं, उनमें भारतवर्ष से जाने वाले कवियों से पहले उनकी स्क्रिप्ट मांगी जाएगी, वरना उनका पासपोर्ट रद्द कर दिया जाएगा। यह पावर अगर मिल जाती है तो बाहर जाकर बोलना मुश्किल हो जाएगा। हमारे शायर लोग, कवि लोग बाहर जाते हैं और उन्मुक्त होकर कविताएं पढ़ते हैं, भारतीय उनको बुलाते हैं और हर महीने कम से कम 10-20 कवि सम्मेलन बाहर होते हैं। तो मैं माननीय मंत्री जी से जानना चाहूंगा कि क्या हम लोग इससे बचेंगे, क्या हम लोग ज़िदा रहेंगे, हमारे पासपोर्ट का क्या होगा? कृपया यह फैसला कर दें वरना जीना मुश्किल हो जाएगा।

उपसभापति : इधर तो बचेंगे, अपने देश में बचेंगे, विदेश में बचेंगे कि नहीं, पता नहीं।

Shri H.K. Javare Gowda - not present. Shri S.S. Chandran.

*SHRI S.S.CHANDRAN (Tamil Nadu): Madam, Deputy Chairman, I am glad to speak in Tamil once again. As I rise to speak on the Passports Amendment Bill on behalf of AIADMK, I feel happy. At the same time I feel sad because, I had to wait for three weeks to speak on this Bill just like waiting for Passports for months. Anyway I am relieved of my anxiety that it has come up for discussion at last.

Madam, it is said that there are 29 Regional Passport Offices in the country. But in Tamil Nadu there are just two Passport Offices, one each at Chennai and Trichy. Even these offices are not maintained. I wish to draw the attention of the Hon'ble Minister in this regard. In Chennai Passport Office, there are fans but you don't get the air flow because they don't work; there are air conditioners but they don't cool; there are lifts but they don't work; there are officers but there are no amenities. This is the situation at Chennai Passport Office. Tamil Nadu is one of the best States in the Country. But the Passport Office in the State is not well equipped. I know this because I visit the office some time. During one such visit, I happened to see a signboard carrying the words "Spit Here". But there was no spittoon there. A man was sitting down. A passerby looked at the board and spat on the man sitting there. Because he was sitting in the place meant for spittoon. I asked about this to some officials. They say even basic amenities are not provided there.

Madam, for the whole of Tamil Nadu, there are just two Passport Officer at Chennai and Trichy. But the fact is that a lot of people from Tamil Nadu go to gulf countries regularly. A number of computer professionals from Tamil Nadu, particularly from the Southern districts go to foreign countries. People from Madurai, Kanyakumari, Sivagangai and Tirunelveli districts keep going abroad very often. But there are just two Passport Offices in Tamil Nadu.

Madam, Deputy Chairperson, on 5th March this year, the Centre opened 47 Speed Post Centers for handling passport services. I am happy about it. These centres sell passport applications and also receive filled in application forms. In Kerala and Karnataka there are eight such Centres each. It is good that so many centers are opened. But in Tamil Nadu,

* English translation of the original speech delivered in Tamil.

such speed post centre dealing with passport applications is opened only at Chennai and nowhere else. I hope the Hon'ble Minister will reply to this and provide the statistics of such centres.

At the same time I appeal to the Hon'ble Minister to open Passport Speed Post Centres immediately at Madurai, Trichy, Dindigal, Tirunelveli, Sivagangai, Kanyakumari, Tanjore, Coimbatore and Vellore. I make this appeal on behalf of AIADMK. I request the Hon'ble Minister to visit Chennai Passport Office at least once to know the facts. I thank Madam, Deputy Chairperson for giving me this opportunity to speak on this Bill.

THE DEPUTY CHAIRMAN: Shri Virumbi didn't mention a word about it.

SHRI SHANKAR ROY CHOWDHURY (West Bengal): Madam Deputy Chairperson, following the Kargil war in 1999, and the Subrahmanyam Committee Report, thereafter, the Government set up four Task Forces. One was the Task Force on Internal Security, headed by Shri N.N. Vohra. On the basis of one of its recommendations--there were two in number--an enactment is sought to be carried out. As far as the other recommendation is concerned, it is not in discussion at present; possibly, it would come to us later. One of the recommendations was that the Ministry of Home Affairs should coordinate with the Ministry of External Affairs to see how the various security loopholes or various shortcomings could be plugged and the free movement of anti-national elements, to and from the country, could be plugged. I feel that it is in pursuance of this basic aim that the Government first promulgated the Ordinance for an amendment to the Passport Act, and now it seeks to re-confirm the same through the passage of this Bill. The discussion, the points that are being made this afternoon are possibly to be replicated in the future as well, as and when the other enactment, if it ever comes to the Rajya Sabha, will be discussed here. In brief, these are, firstly, the fear of misuse and, secondly, the doubts amongst the general public that whatever Ordinance or an Act is to be enforced, it shall have to be done by the existing mechanism which belongs to that Department. All these systems, as is common knowledge, in all the Departments, in most of the Departments, are flawed. As far as the passports are concerned, as the issue that has been precisely pointed out in the Statement of Objects and Reasons, unfortunately there have been innumerable cases where individuals who have been under scrutiny but

against whom perhaps some legal proof is yet to be obtained can leave the country. And the latest in the series is in my home State, West Bengal where, if I may use the word, a multinational organisation conspired for the kidnapping of a local magnate whose ransom apparently was fed to Mohammed Atta who carried out the September 11 attack in New York. When one goes through the media reports of that incident, one is amazed at the facility with which such people have been capable of entering and leaving the country at will with false passports, false entries and general lack of verification from the Government machinery. So, this raises a few questions which the hon. Minister may clarify in his response. Firstly, this state of affairs has been prevalent not since the 25th October but, perhaps, for decades. What was the hurry on the part of the Government and what was the reason for not promulgating this Ordinance much earlier because the existence of this system has been there for many decades? What made the Government to issue the Ordinance merely a month before the House was to commence its Session? Secondly, what is the system of review? The system of review, of course, has been laid down here which says that every holder of the passport or travel document, in respect of whom under an order of this sub-section had been passed without giving him a prior notice, shall subsequently be given an opportunity of being heard and thereupon the Central Government may, if necessary, by order in writing, modify or revoke the order passed under this sub-section. This, precisely, reflects the concerns of the people and the concerns of the political parties about misuse and lack of a concrete review system to ensure that the provisions of this Bill are not misused by the Government in power. I would like to suggest a review system in cases where passports have been revoked. There has to be an inclusion of some representative, from the legislature, at some level.

The Dharmavira Commission -- It also gathering dust for several decades -- on State Security had also recommended the setting up of a State Security Board with a representation of Ministers as well as the leaders of the Opposition on the Board. This was a very good suggestion. It has not been included in this. So, I would like to suggest to the Government, under the prevailing environment, the review mechanism must contain a provision for some kind of a Parliamentary overview, because mere administrative refusal, I think, has failed to justify their existence.

I also feel, as and when these provisions come into force, there would be many representations against it. Since many apprehensions have been expressed, there will be cases where people will allege that due to political or other reasons, the Government is discriminating against some people and denying, what is called, a Fundamental Right. So, I would like the hon. Minister, while replying to the debate, to please clarify as to what action the Government proposes to take to allay the concerns of the political parties, as also of the general public, with regard to the provisions of the Bill. I would also like to know, how the Government is going to control and see that the provisions, which give vast powers to the administrative machinery, are not misused. Thank you.

SHRI MANOJ BHATTACHARYA (West Bengal): Madam, thank you for having given me this opportunity to speak on this Bill. This Bill has been moved for consideration, with two or three intentions.

The first one is: The Government had promulgated an Ordinance on 23rd October, 2001, in spite of knowing that the Winter Session of Parliament was going to start within three weeks. So, it is absolutely uncalled for, unnecessary, and the move is, perhaps, in contravention of a good parliamentary practice.

The second one is: This Bill, perhaps, has been brought before the House for consideration, to conceal the inherent weaknesses of the passport offices where, even though several recommendations have been made by the Standing Committee, the Government has not considered those recommendations. As a result, those recommendations are, virtually, gathering dust in the Ministry of External Affairs, and corrective measures are not being taken to straighten or smoothen the functioning of the passport offices. It is known to all that the passport offices can function effectively, depending on the co-operation that it has with the concerned State police administration. Passport offices can function effectively, depending on the co-operation it has with the postal authorities. At the same time, the passport offices have to function on their own ability. Everybody knows it. The state of affairs in the passport offices is quite in a mess in almost all the Regional Passport Offices. My experience is, the passport offices are not being manned properly, not staffed properly. Over

and above, this, as per the statement of the Government, which was made recently by no other than the hon. Minister of External Affairs, Shri Jaswant Singh, there are as many as 539 casual or contract labourers. ...who are officially doing group 'D' work. In fact, they are doing group 'C' work regularly. The job of renewing is being done by casual workers. Over and above, I have come to know that these casual or contract workers are even writing the passports. So, there are many flaws in issuing passports. These are being reviewed nowadays. It was even reported in the newspapers that the Bhopal Passport Office issued a passport to Abu Salem, a hardened criminal. Many criminals, by taking advantage of the weaknesses of the State police administration, get the passports issued. So, I am stating in brief that these are the inherent weaknesses of the functioning of passport offices. Instead of taking care of those problems, the Government is trying to bypass those problems, to allow those problems to go on. Rather they are trying to take a blanket right to abrogate the Fundamental Rights of the citizens of this country. I fully concur with what hon. Members, Shrimati Bharati Ray and Shri Kapil Sibbal, have said, that this is in contravention of the Fundamental Rights bestowed upon us by the Constitution. So, I request the hon. Minister of External Affairs that he should review the Bill. This Bill should, at least, be sent to the Standing Committee on External Affairs because the Standing Committee has not been taken into confidence. The Standing Committee on External Affairs has no knowledge of this Bill having introduced. This has not been discussed in the Standing Committee. There are some provisions where the Fundamental Rights of the people is being abrogated, where the people, who are not liked by the Government in power, would not be allowed to move freely. So, I request the hon. Minister that this Bill should be sent to the Standing Committee on External Affairs. It should be reviewed by the Standing Committee and then it should be introduced. With these few words, I urge upon the Hon. Minister to have a second consideration on this Bill. Then only it should be brought before the House for discussion. Thank you very much.

THE DEPUTY CHAIRMAN: Mr. Raghavan, would you like to speak or are you satisfied?

SHRI V.V. RAGHAVAN (Kerala) : Respected Madam, this kind of an amendment should not be imposed on us as *fait accompli*, through an

Ordinance. Just to give a caution to the Government, let us disapprove this Ordinance. That is my request. I also appeal to the respected Chair to caution the Government that this kind of resorting to issuing of Ordinance must be discouraged.

SHRI JASWANT SINGH: Madam, I am grateful to the hon. Members for the views they have expressed here. Let me deal with all the issues as briefly as I can. Let me first deal with the question of tendency on the part of Passport Offices, and the improvement measures. We issue about 23 lakh passports every year. Of course, there has been an increase in the number of applications in the current year. We have received about 25 lakh applications in the current year. There are some passport offices where there is a great deal of demand for issuance of passports. They suffer from a greater delay than other passport offices.

So, we took a number of measures. This Government has taken a number of measures about Speed Post Centres. We took a decision that the Government was ready to decentralise the whole system of issuance of passports to citizens; to States and to each district. We were ready to authorise the District Magistrates, the Superintendents of Police, the banks and the post offices, to examine, to verify and to clear the passports. The officers of the bank were not willing to do it. We also said that the Ministry of External Affairs will pay a fee to all the States which would take this up. We invited the officers of the States to come to Delhi so that we could facilitate their training. Some training exercises have taken place. All the States have now joined this. But decentralisation has not yet taken place fully.

We have decided that wherever there are more than 10,000 applications in a year, a dedicated office would function as a District Passport Cell, under the District Magistrate or the Superintendent of Police. And, the District Passport Cell is to be the focal point of verification of passports at the district level. This scheme has already been launched in Sikkim, in Andhra Pradesh, -- Mr. Reddy is not here -- and in Nagaland also. It is proposed to be launched in the remaining States by 2002.

Police verification takes a great deal of time. It is proposed to replace the present system of exclusive reliance on police verification, with a

system of verification of personal particulars by the Executive Magistrate, in the District Passport Centre. Only the nationality and the criminal record would be checked through police verification.

As far as the Speed Post centres are concerned, there are already 23 centres. That was the starting point. Presently, we have 62 speed post centres. And the offices are there in Delhi, Ahmedabad, Calcutta, Chennai, Hyderabad, Mumbai and various other cities and towns of Karnataka, Kerala and Punjab. We intend to expand this activity further. But the question of additional...

THE DEPUTY CHAIRMAN : An hon. Member had mentioned about Tamil Nadu. He said, there are not many Speed Post centres there.

SHRI JASWANT SINGH: Madam, I am coming to that. As far as the question of additional speed post centres in Tamil Nadu and other States is concerned, they will begin functioning by January 2002, that is, next month.

A point was raised about machine-writing of passports. This has actually started with effect from 27th November. Photographs and signatures are machine-printed and these will, therefore, serve as further safeguards against substitution or forgery. We are doing everything. I recognise, Madam, that so far as passport services are concerned, there is a great scope for improvement. The Ministry itself and I, personally, am not satisfied with the steps taken to meet the requirements of the public or the aspirations of the public and we intend to continue to make every effort to improve this. We cannot improve it without the cooperation of the State Government, because one of the main difficulties in the issuance of passport is verification. Verification is done by the police; and 'Police' is a State subject. Therefore, unless the two act together, it would be difficult for us to have a passport system which is completely satisfactory. We are making every effort to improve it further. Madam, most of the queries were relating to why a need arose for an Ordinance. I have already explained, Madam, that the whole question arose from a court case. There is a system which has been in existence for the last 60-70 years, called Look-Out-Circulars. On the basis of these Look-Out-Circulars, passports were impounded, people were stopped from travelling. I must share some figures, in terms of the Look Out Circulars with the House. Madam, there are, roughly, a total

of 70,000 Look Out Circulars which were opened by the emigration, to date. This is since when the passport system started in the country. What this Government has now done is to regularise what was very much in the system. All the Governments, up till now, have been issuing Look Out Circulars. I do not want to go into all that. Out of these, 35,000 cases related to foreigners, and 32,000 to Indians. In the Look Out Circulars also, there were provisions about designated officers. And, there was a provision that based on the inputs received from the investigating or the enforcement agencies, if it is found that, a person is indulging in criminal or anti-national activities, his activities are considered prejudicial to the sovereignty and integrity of India, the security of the State or public order, the authority may temporarily suspend the passport, or, travel document or prevent the holder of the passport or travel document from leaving the country. माननीय पंचौरी जी ने कहा कि हम इससे सहमत हैं पर सरकार की नीयत पर हमें विश्वास नहीं है। अब नीयत पर तो मैं कहां से विश्वास दिलाऊं। महोदया, बालकवि बैरागी जी ने कहा कि अब क्या कवियों को भी बाहर जाने से रोका जाएगा। आप आशंका मत करिए। लुक आउट सर्कुलर आज का नहीं है यह 60-70 सालों से चल रहा है और यह कोर्ट कचहरी के कारण है। कोर्ट ने कहा कि आप लुक आउट सर्कुलर के बेसिस पर कितने लोगों का पासपोर्ट जब्त कर रहे हैं, उससे यह प्रश्न उत्पन्न हुआ है, ऐसा मैं समझा चुका हूँ and then it was felt that for impounding or withholding a passport, it is necessary that we carry out a necessary amendment to the Act. There are no *mala fide* intentions, whatsoever, to interfere with anybody's basic or fundamental right, and, of course, this is not a provision --as some of the hon. Members have suggested -- which is directed against any political adversary. This is a necessary provision that has been a practice with all Governments up till now. All that this Government has done is -- and it has been a practice, on the basis of an observation of the Delhi High Court, to carry out a suitable amendment to the Passports Act, in accordance with the advice of the Solicitor-General. Now, Sir, some other questions were also raised. I do wish to make an appeal here -- and I think the hon. Members are fully within their right to assert that the basic safeguards which are relating to the freedom of Indian citizens, the human rights, are not, in any sense, violated. It would be necessary, however, for this body, as a legislature, to conduct itself as a law-making body, not to conduct itself as a law-interpreting body. These are very different functions, and as to what a particular section of a particular Act says, does not say, means, does not mean, are things which should really be better left to the courts of law, which is their designated function. The legislatures are to legislate and to make law, and this distinction -- I particularly appeal to some of my colleagues and hon.

Members, who have had the benefit of pursuing that vocation too -- has to be kept in mind.

Now, there were some other queries raised. I will try and answer each of them, as well as I can. Madam, let me first point out about the safeguards against the misuse of the amended provisions. It was pointed out or observed by one of the Members that 'in the safeguards, where you have said that there is a period of four weeks, in one of the particular provisions, there is no such safeguard.' I wish to make it quite clear in the House that the safeguard covers -- whether with notice or without notice -- a period of four weeks, extendable by another four weeks, *i.e.*, a maximum of eight weeks. If a passport is impounded or withheld, then, whether the show-cause notice is served or not served, the hearing has to be given within a period of eight weeks. Now, let me just read out Madam, what the passport or travel document... *...(Interruptions)...*

SHRI ABDUL GAIYUR QURESHI (Madhya Pradesh) : Madam, I just want to seek only one clarification from the hon. Minister. The Act makes a provision that before taking any action or passing any order under this section, a notice has to be served. It clearly says, "...shall be passed unless a notice in writing to show cause has been issued to the persons concerned." This is the first proviso. But, then, there is second proviso, which says that this can be waived at the discretion of the designated officer, and, nowhere has it been stated as to why and under what circumstances it is to be waived. If a notice is not given then, it offends the principle of natural justice. In every case, where even there is no provision for giving a show-cause notice, the courts have held continuously and consistently that the principles of natural justice have to be followed in all such actions which are taken against the citizens.

THE DEPUTY CHAIRMAN: Mr. Kapil Sibal had raised this point.

SHRI ABDUL GAIYUR QURESHI: Madam, he had raised this point. That is why I have said ... *...(Interruptions)...* I am a little bit confused about it ...*...(Interruptions)...*

THE DEPUTY CHAIRMAN: Let the Minister reply.

SHRI JASWANT SINGH: Madam, the question that has been asked directly is that, in one case, a notice is served; and on what grounds,

you don't serve notice? That is the query. Now, Madam, the broad grounds have been specified under Section 10(3)(c). The broad grounds cover security of State. I have pointed out that up till now, there have been as many as 70,000 LoCs. Of those 70,000 LoCs, 35-odd thousand relate to foreigners. Now, the Look-Out-Circular (LoC) is issued when there is a sense of urgency by the Immigration Department or somebody else.

There are, after all, other provisions. When you say notice is not served, quite often, agencies of State, particularly those dealing with intelligence, will not give a notice in advance, because, otherwise, it will jeopardise their case. That is the only ground on which, most of the time, such advance notices are not given.

The question that was raised was this. The passport and travel documents would be temporarily suspended for a period of four weeks to enable completion of the procedure for impounding or revoking the passport, as the designated officer may, if it or if he consider appropriate extend, by an order, and for reasons to be recorded in writing, this period of four weeks, till the proceedings relating to impounding or revocation are concluded; no order under the amended Passport Act shall be waived unless a notice in writing to show cause has been issued to the holder of the travel document. In any case, the proceedings have to end in four weeks, extendable by one period of four weeks i.e. the maximum eight weeks.

SHRI KAPIL SIBAL: But that is not reflected in the Bill that the maximum period is eight weeks, because once he records...

SHRI JASWANT SINGH: You came here; you had shown this to me that it is not extendable. I was trying to make it quite clear that the period will not exceed eight weeks.

SHRI KAPIL SIBAL: Mr. Minister, it cannot be made clear by a statement of the Minister. It has to be part of the law. Your statement will not be accepted, unless the law says so. This is the problem. Therefore, there must be an amendment to that effect. That is why we were suggesting that this route should not be adopted; that the matter should be either sent to the Standing Committee or to the Select Committee. Anyway, we deeply appreciate this assurance given by the hon. Minister, but it will

not be part of the law. The assurance of a Minister cannot have the mandate of a law. When such an assurance is given on the floor of the House, it cannot have its validity, unless the statute says so.

SHRI FALI S. NARIMAN (Nominated): I hope the hon. Minister will not mind my interruption. The way the opinion goes, the House seems to think -- and I share that apprehension -- that if it is said here 'Minister of the Central Government within the jurisdiction of the Central Government' I would have stopped there, but here it is 'the State Government and also a designated authority', whomsoever the Central Government may authorise. There lies the mischief, and there is scope for misuse. I have no doubt that the Minister himself will have no problem. We will have no problem with the Minister either. But this is what happens. India is a very vast country, and this is exactly what happens all over the country. I have an instance, Madam, Deputy Chairman. This is my problem. During the Emergency, when I was in Rajahmundry, a little boy, a son of the organiser of a conference was picked up from Vishakhapatnam, because he had protested in his college there. When everybody said 'let us go and join a march in support of Mrs. Gandhi's 20-point programme', he said: 'No, we should not go. We should attend to our lessons in our class; and, instead, we should go on a Saturday'. Everybody booed him and shouted him down. The District Magistrate issued an order for his detention, because he was considered a danger to the security of the State! We had untold trouble. I went there as a visitor, to deliver a key-note address there. We spoke to the Minister. Ultimately, the Minister said that that was absurd and he revoked the Order. But then, the boy could not be found for two weeks. Ultimately, he was found. These are the problems. No Minister in the Central Government, not even Mrs. Gandhi, certainly, would have authorised such a detention. These are the vast powers that are taken. When things are drafted in this fashion, this is what happens. I respectfully submit that if the power is at all taken by the Central Government, the Minister himself would not be answerable, but it would be the State Governments or the designated authority which would be answerable. That is the main problem.

THE MINISTER OF PARLIAMENTARY AFFAIRS, MINISTER OF INFORMATION TECHNOLOGY AND MINISTER OF COMMUNICATIONS (SHRI PRAMOD MAHAJAN): Madam Deputy Chairman, I have a suggestion to make. In this House, unless there is a consensus, no Bill is passed. For

the last three years, our effort has been to evolve a consensus on any legislation. Unfortunately, this particular legislation was not brought to the notice of the Members sitting on the other side.

SHRI KAPIL SIBAL: I apologise. This is something that we should have brought to your notice earlier. We are just conveying our concern so that everything is done by consensus.

SHRI PRAMOD MAHAJAN: Neither I am seeking an apology nor am I making it as a point. Though the Business Advisory Committee has allotted only half-an-hour for this piece of legislation, the House has discussed it for nearly two years. Some important suggestions have been made by the hon. Members. I would request the Law Minister to sit and discuss about this Bill with Mr. Fali Nariman, Mr. Ranganath Misra, Mr. Kapil Sibal and Members from other parties and then evolve a consensus so that the House can take it up tomorrow and pass it.

SHRI KAPIL SIBAL: That is a very good suggestion.

SHRI PRAMOD MAHAJAN: Because, instead of passing it here and taking it to the Lok Sabha and then bringing it back here. I would suggest that those who know more than me can sit with the Law Minister and evolve a consensus on this Bill. If I had not agreed to the suggestions of the Members, I would have made a mistake, because nobody is wiser than the House. A Member from each party can sit with the Law Minister and can suggest something. Whatever is possible for the Government, we will accept. Tomorrow, we can pass it without any discussion. I am also concerned about the time of the House.

THE LEADER OF THE OPPOSITION (DR. MANMOHAN SINGH): Madam Deputy Chairman, I support that suggestion.

THE DEPUTY CHAIRMAN: What I have gathered from the discussion on the Bill is, there was a concern expressed by some Members. In fact, there should be no concern on any issue.

SHRI PRAMOD MAHAJAN: I invite all of them to my room at 4.00 p.m.
अभी चार बजे बैठ जाते हैं।

SHRI JASWANT SINGH: Madam, I claim no specialisation, when it comes to law. If the House can improve the drafting of the Bill, then, we will not stand in the way. हो सकता है कि उसके बाद शायद माननीय सुरेश जी यह न कहें कि हम नीति से तो सहमत हैं, पर नीयत पर विश्वास नहीं। ... (व्यवधान)...

श्री सुरेश पचीरी : चार बजे के बाद ही समझ में आएगी।

श्री जसवंत सिंह : नीयत बिल्कुल साफ है, महोदया, अभी इतने सालों से जो सिस्टम चल रहा था 70 हजार के करीब लुक आउट सर्कुलर जा चुके हैं, सरकार ने यही एक कदम उठाया है। What is already existing as Look Out Circulars, which are not even part of any law, are now being regularised; and when the Bill is passed by Parliament, then, it would become a part of the Passports Act. Some hon. Members have found some deficiencies; and they have made some observations. As the Minister of Parliamentary Affairs has said, from amongst us, those who have legal acumen can meet at 4 o'clock, spend some time to go into it. Incidentally, he serves very good tea. Whatever amendments are suggested...

THE DEPUTY CHAIRMAN: Is the Deputy Chairman involved in it? I know all the views of the Members

SHRI KAPIL SIBAL: Deputy Chairperson.

THE DEPUTY CHAIRMAN: It doesn't really matter until and unless we amend the rules.

श्री प्रमोद महाजन : आप आ जायेंगी तो वही पास हो जाएगा।

उपसभापति : तो मेरे कमरे में I can serve better tea.

श्री बालकवि बैरागी : मैडम, वैसे एक आब्जर्वेशन आज मेरा भी रहा है। तीन-साढ़े तीन साल से मैं आप लोगों के बीच में बैठ रहा हूँ, यह पहला अवसर मैं देख रहा हूँ जब जसवंत सिंह जी 15 मिनट बोलते रहे, लेकिन इतना आत्म-विश्वास नहीं था जिससे यह रोज़ बोलते थे। आज इनके मन में कुछ लड़खड़ाहट जरूर थी। मुझे खुशी है कि एक ठीक फैसला आप लोगों ने किया है।

THE DEPUTY CHAIRMAN: So, we defer this. Let them discuss it and take a decision and then bring it before the House so that we can pass it. We can take it up tomorrow.

SHRI MANOJ BHATTACHARYA: Madam, I have noted the views expressed by Mr. Pramod Mahajan. But, at the same time, I would also ask very humbly, "Why was not such an important Bill, such an important amendment, routed through the Standing Committee? There is a Standing Committee on External Affairs. This Bill could have been discussed in the Standing Committee and then brought here.

SHRI PRAMOD MAHAJAN: I will answer your question. When we issue an Ordinance, it is an immediate legislation. That Ordinance converted into a Bill has to be passed in the same Session to make it a law after the 21st of December. If I send it to the Standing Committee, then, there is no law, amended law, available from the 22nd of December onwards. ...*(Interruption)*... Let me complete. If I have to take recourse to that system, then, I do not have to bring an Ordinance at all. I could straightway bring a Bill which goes to the Standing Committee like all other Bills. But, when Government feels the urgency for a particular Bill and brings an Ordinance, that Ordinance has to be passed in that Session and so, the Bills which come out by converting Ordinances into Bills never go to the Standing Committees. ...*(Interruption)*...

THE DEPUTY CHAIRMAN: Now, let us not have a discussion on that.

SHRI NILOTPAL BASU (West Bengal) : Madam, there is something questionable so far as the urgency part is concerned.

SHRI PRAMOD MAHAJAN: Urgency is a matter which is always subjective. What I think is urgent, you may think not needed at all. अभी मेरे को अर्जेंटली बाहर जाना है, तो आप सोचेंगे कि इन को इतनी जल्दी क्या है, थोड़ी देर और नहीं बैठ सकते। तो हरेक की अर्जेंसी अलग-अलग है।

THE DEPUTY CHAIRMAN: Now, we have settled the previous legislation or the Ordinance. We have to have the reply to the Short-Duration discussion. शरद यादव जी रिप्लाई करेंगे।

श्री प्रमोद महाजन : मैडम, मेरे बाकी बिल भी मुझे आज निकालने हैं।

4.00 p.m.

उपसभापति : आप यहीं बैठिए।

श्री प्रमोद महाजन : मैडम, मैं मीटिंग कर के आता हूँ।

SHORT DURATION DISCUSSION

Growing unemployment in the country - contd.

[उपसभाध्यक्ष (श्री सुरेश पचीरी) पीठासीन हुए]

श्रम मंत्री (श्री शरद यादव) : माननीय उपसभाध्यक्ष जी, बेरोजगारी के विषय पर हुए शार्ट ड्यूरेशन डिस्कशन को माननीय सदस्यों ने बहुत मेहनत और शक्ति लगाकर कारगर बनाया। इस बहस में माननीय श्री जोशी, श्री जीवन राय, श्री के. रहमान खान, श्री ललित माई मेहता, श्री एस. विदुतलै विरुम्पी, श्रीमती विम्बा रायकर, श्रीमती सरोज दुबे, श्री दारा सिंह चौहान, श्री वी.वी. राघवन, श्री एस. निरैकुलथन, श्री शंकर राय चौधरी, श्री आर.एस. गवई, श्री राजीव शुक्ल, श्री एन.के. प्रेमचन्द्रन, श्री सतीश प्रधान और श्री मिर्जा अब्दुल रशीद ने भाग लिया।

उपसभाध्यक्ष जी, इस बहस को आप ने शुरू किया था और आप की अध्यक्षता में ही इस बहस का समापन हो रहा है। इस बहस में मेरे साथी रुरल डवलपमेंट मिनिस्टर ने भी भाग लिया और दो-तीन दिन तक हम सरकार के कई मंत्री बैठे रहे। हमारी कोशिश थी कि इस बहस का कारगर ढंग से हम जवाब दे सकें। लेकिन लगातार पांच दिन के बाद आज मौका मिला है और आज भी हमारे पार्लियामेंटरी अफेयर्स मिनिस्टर का कहना है कि इस बहस को मैं ज्यादा लंबा न करूं। मैं मानता हूँ कि यह सवाल बहुत अहम सवाल है और हिन्दुस्तान की आजादी के बाद से इस विषय पर एक बार नहीं, कई बार जिक्र और चर्चा चली है। इस विषय पर माननीय सदन में माननीय सदस्यों ने जो यह बीमारी है और जो उसके उपाय हैं, उन सारी चीजों पर विस्तार से अपनी बात रखने का काम किया है। इसमें माननीय सदस्यों की सबसे बड़ी चिंता यह थी कि बेकारी और बेरोजगारी बढ़ रही है। मैं मानता हूँ कि जो पढ़े-लिखे नौजवान हैं और जो खासकर के श्रम करने वाले लोग हैं उनके बीच में गांव-देहात से लेकर शहरों तक बेकारी और बेरोजगारी बढ़ी है, आबादी भी उस हिसाब से बढ़ती चली जा रही है। यह चिंता का विषय है, मैं इस बात को मानता हूँ।

उपसभाध्यक्ष महोदय, इस विषय पर आपसे चर्चा शुरू होकर, कैलाश जोशी जी से चर्चा शुरू होकर बाकी माननीय सदस्यों ने भी अपनी बातों को रखा। इसमें चाहे रुरल एम्प्लायमेंट की बात हो या अरबन एम्प्लायमेंट की बात हो, चाहे शिक्षित बेरोजगार की बात हो या अशिक्षित बेरोजगार की बात हो, इसकी बाबत कैसे रोजगार के अवसर बढ़ाए जाएं इनके लिए