Diicussion not concluded

(Shri K. Mohanan]

name of the land has emerged from the term 'kera'. Kerala means the land of kera, coconut. Madarn, coconut is the backbone of the economy of Kerala. It accounts for 26 per cent of the total agricultural income of the State. About 1-crore population out of 2.5-crore total population of the State is dependant on the conconut clutivation. The export earning from the coconut products like coir and the coir products annually is to the tune of Rs. 260 crores. Last year the production had gone and the down due to acute drought, 4,001) per price had gone up to Rs. thousand coconuts. But this year with favourable natural conditions and the dedicated efforts of the farmers, the production has gone up. But then the Government decided to import coconut oil in a big way and they have forced the coconut growers to sell their coconut for 95 paise compared to Rs. 4 last year. The entire Opposition MLAs from the Kerala Assembly are staging a dharna in front of Parliament House today demanding remunerative price to the coconut growers of Kerala. It is not only in the case of coconut. What is happening in Haryana and West Bengal is that the farmers, the paddy cultivators are burning their paddy crops. The FCI is not procuring any paddy.

THE DEPUTY CHAIRMAN: We are talking about sugar.

SHRI K. MOHANAN: Yes, Madarn, This is connected with sugar. These are all connected with sugar.

THE DEPUTY CHAIRMAN: Here we are talking only of sug

SHRI K. MOHANAN: Of course, I know, the poor cane-growers of this country are not good financiers to the ruling party, but the sugar barons of this country are. So. you are adopting this policy. I would request the Government to reconsider the whole approach. You are trying to improve the liquidity of the sugar barons. But at the same time you are liquidating the cane growers of this country. This is the reality.

So, my only question is whether the Government would stop their policy of benefiting the monopoly houses at the expense of the poor farmers and the poor consumers of this country.

Thank you, Madam.

THE DEPUTY CHAIRMAN: Mr. Ashwini Kumar. I have two speakers. If the House so wishes, we will cut down the lunch hour and finish this or we will take it up after 6 o'clock.

SHRI S. W. DHABE: The lunch break should be there.

श्री **ग्रश्यिनी कुमार** (बिहार) : माननीय उप संभापति महोदया . . .

SHRI S. W. DHABE: Madam, it is already 1.30. we should adjourn for lunch.

THE DEPUTY CHAIRMAN; The House is adjourned till 2.3(3 P.M. for lunch. The Calling Attention will be taken up after 6 o'clock.

The House then adjourned for lunch at thirty-one minutes past one- of the clock.

The House reassembled after lunch at thirty two minutes past two of the clock, The Deputy Chairman in the Chair

THE CITIZENSHIP (AMENDMENT) BILL, 1985

THE MINISTER OF STATE IN THE DEPARTMENT OF STATES (SHRI P. A. SANGMA): Madam Deputy Chairman, I beg to move:

"That the Bill further to amend the Citizenship Act, 1955, as passed by the Lok Sabha, be taken into consideration."

As the House is aware, o-a 15th August, 1985, the representatives of the Government and the leaders ot the All Assam Students Union and the All Assam Gana Sangram Parishad signed a Memorandum of Settlement which was laid on the Table of the House on 16th August, 1983.

Bangla-

The Citizenship

(i) Those who came prior to 1-1-1966; and

Indian origin who came from erst-

while East Pakistan, now

deh, to Assam: -

- (ii) those who came between i-i-1966 to 24-3-1971 (both days inclu-
- 3. The salient features af the proposed legislation are as under .-
 - 3.1 It has been provided that all persons of Indian origin who came before 1.1.1966 to Assam from Bangladesh (including those whose names were in the 1967 electoral rolls) and who have been ordinarily resident in Assam since the dates of tbeir entry into Assam shall of te deemed to be citizens of India as from 1-1-1966.
 - 3.2. For every person of Indian origin who came to Assam between 1-1-1966 and 24-3-1971 from Bangladesh and who has been ordinarily resident in Assam since then and who has been detected to be a foreigner, following provisions have been made:-
 - (i) he shall register himself in accordance, with the rules framed for this purpose;
 - (ii) if his name is included in any electoral noil in force on the date of detection, it shall be deleted from the electoral roll.;
 - (iiii) every person so registered shall have all rights and obligations as a citizen of India (including the right to obtain a passport)

but shail not be entitled to have his name included in any electoral roll before the expiry of a period of ten years from the date of his detection as a foreigner.

- (iv) After the expiry of a period of ten years from the date of detection as a foreigner, every person so registered shall be deemeo to be a citizen of India for all purposes.
- (v> It has been expressly provided that in determining whether a person seeking registration fulfils the requirements of registration as indicated above, the registering authority shall act in conformity with the opinion af the tribunal constituted under Order, Foreigners (Tribunals) 1964.

The proposed amendment wilt not affect any person who prior to commencement of this enactment, is a citizen of India. The benefits pf the proposed amendment will not be available to such of the persons who have been expelled from India under the Foreigners Act, prior to the commencement of this Act.

The Bill, inter alia, stipulate? that persons of Indian origin who came to Assam from the erstwhile East Pakistan (now Bangladesh), between 1-1-1966 and 24-3-1971, both days inclusive, shall be detected in accordance with the provisions of the Foreigners Act and the Foreigners (Tribunals) Order, 1964. Following detection, these persons will have to be registered in accordance with the rules to be made by the Central Government in this behalf. This will require strengthening of the Government machinery which will involve some expenditure Irom the Consolidated Fund of India. For various reasons, it is not possible at this stage to precisely quantify the expenditure likely to be incurred on this account.

With these words, Madam, I commend the Citizenship (Amendment) Bill, 1985 for the consideration of the House.

The question was proposed.

K. MOHANAN (Kerala): SHRI Madarn, even at the stage of introduc-tion of this Bill in the other House, my party opposed this Bill, Our opposition is not to the Assam Accord or to the efforts being made by the Government to maintain peace and unity in that region. Our opposition is to the provisions in this Bill which deprive the voting rights of lakhs of people who entered Assam between 19G6 and 1971.. who include those who were voters and exercised their v.ot- I ing right in 1967, 1971 and 1978. The validity oi these lists of voters has never been challenged even by the AASU leaders at that time. But now what is the situation? A right which I up to now was enjoyed by a section of Assamese people, especially the minority community, they are losing in terms of an agreement to which they were not a party.

Madam, my party is approaching this problem from the point of view of the Assam people as a whole, rather than from the point of view of the Assamya-speaking majority or minority. We are to preserve the unity of Assam and the unity of this country. Dividing the people on the lines of majority and minority and denying voting rights to the minority section will create definitely new problems not only for Assam but for the entire north-eastern region.

At the time of the trouble in Bangladesh war, lakhs and lakhs of people came fo India as refugees. Most of them were sent back. But regarding the rest who were allowed to settle in Assam and other parts, our country has a commitment regarding the safety and the future of these refugees settled in India with our permission. And those people who were settled in Assam and other I parts of the country were naturalised and their names were included in the Voters' Lists and they had exercised (heir franchise more than twice. Now. through this Bill we are deleting '

their names for no fault of theirs. These people are still citizens of India. Every Indian citizen has the right to have his or her name included in the Voters' List if he or she is not otherwise disqualified. Here we are disqualifying lakhs and lakhs of voters. I would like to know on what ground we are disqualifying these voters and deleting their names arbitrarily from the Voters' Lists. We are creating two types of citizens in this country. This is unconstitutional and undemocratic.

of our country After the division in 1947 into India and Pakistan on 15th August 1947 our late Prime Minister, Pandit Jawaharlal Nehru, in a message to the people of this country said in reference to the refugees from Pakistan, "They are our broththers; we have to share their feelings and sorrows'. These words of Pandit Nehru ar_e still relevant in the case of people of Indian origin who came from Bangladesh also. When the AASU leaders started the movement even the Congress Party was opposed to tha stand taken them to disenfranchise the so-called reigners. The then Prime Minister, Mrs. Indira Gandhi) called a meeting of all the Opposition parties and a consensus was arrived af. It was to mafce 1971 as the cut-off year. Mrs. Indira Gandhi categorically rejected the demand of the AASU leaders that 1965 should be the cut-off year. Now you have surrendered that position. That is my complaint, that is my allegation. In the name of driving away the foreigners, you reached an accord with the leaders of AASU movement. But the actual result of this accord is to attack and drive away a section of people especially the minority section on communal basis, from Assam-on the basis and in the name of this accord. This is cruel and dangerous. r do agree that the people of Assam have their own grievances.

But Io solve the grievances of the people of Assam, action of yous will not help in any manner. I would like to know what prompted the Gfovern309

meut to so back on the promises that were given to the minorities of Assam by our late Prune Minister Mrs. Indira Gandhi. I don't think these AASU leaders are the sole representatives of the majority community or the majority population of Assam. I dont think even the Congress-I Party would concede this position, that is, that these AASU leaders are the sole represei. tatives of the majority of Assam. Every national party has its followers from among the minorities as well as the majority of the Assam population. When that is the case, how can we accept the AASU leadership or the AASU leaders as the sole bargaining agents for the people of Assam? At least we cannot, my party cannot, accept this position that they are the sole representatives of the majority of the Assamese people.

The Assam movements was actually receding, not in the natural course, but because of the strong resistance from all sections of the people, not only from the minorities; but also from the majority. There was much resistance .to the movement from all sides. The movement was resisted and so many people laid down their lives for the unity of Assam as well as for the unity of the country. But now, Madam, through the provisions of this Bill, we are betraying these heroes who laid down their lives on the altar of national unity.

Madam, the Assam movement died down, as I have already referred to. But, through this accord and through this amendment, we are giving a basis to the divisive and secessionist forces not only in Assam, but also in the entire North-Eastern Region and this will have its own repercussions. Our concern about this issue is sincere. I do not want to blame anybody. But I appeal to the Government to reconsider its stand of dividing the people of Assam on the lines of majority and minority and disfranchise lakhs and lakhs of people and remove them from the already accepted and aireas dy utilised voters' list. This action of the Government is quite an arbii

trary action and, as I have already mentioned, it will create new prob lems and it will be harmful to the unrty of this country, so, Madam, 1 strongly oppose this Bill and I conclude with these words. Thank you, Madam.

THE DEPUTY CHAIRMAN: Now, Mr. P. N. Sukul.'

SHRI P. N. SUKUL (Uttar Pradesh): Madam Deputy Chairman, I rise to support this Citizenship (Amendment) Bill, 1985.

Madam, it is rather unfortunate that our Opposition friends do not want to see reason anywhere. This Bill is the direct result of the Assam Accord that was concluded on the 15th of August last. It is with a view to giving a practical shape to that Accord that this Bill has been brought forward before us for our consideration and, accordingly, cer tain amendments are proposed to be made in the Citizenship Act. But, you see just as my learned friend was just now saying, his party is opposed to it because so many people, lakhs and lakhs of them, as he has said, are going to be deprived of their franchise, I mean those who between 1965 and 1971, and he is asking why they should be defranchised when they have already exercised their voting right twice or thrice in the past. You see, there was then no accord and there was no final settlement of the issue. The issue has been settled only now and that is why it is now proposed that these foreigners should be detected and there has to be a cut-off line and there has fo be a distinction made between who is a foreigner and who is not a foreigner. That is how there has to be some cutoff line there has to be some procedure laid down in the law according to which we should behave and treat the people as citizens or non-citizens of India. In fact, what I find is that our young and dynamic Prime Minister, Mr. Rajiv Gandhi, has been able to solve the Punjab problem. There

[Shri N. Sukul] has been the Punjab agreement. He has been able to solve the Assam problem that had been there for the last fiive years and the entire nation was rather restless, anxious and concerned about what was happening there. Then our Prime Minister has been able to clinch the issue about anti-reservation stir in Gujarat. I think our Opposition parties in general are not very happy about these accords; they are not happy about the settlement of these various disputes. I think that perhaps they feel "that the entire wind has been taken out of their sailes and they find themselves without teeth even. Of courseif they complain like that, that can be understood. But, as a matter of fact, there is nothing in this Bill, that is going simple, innocuous Bill-•to give a practical shape to the Assam accord, that should be criticized or that should not be liked by any party.

As the State Minister has already explained, we are only inserting one section, 6A, in the Citizenship Act, and that, too- to regulate the citizenship, to detect citizens. As I said, there has to be a cut-off line. Now the 31st December, 1965 is the cut-off line. Those who had come by that date remain citizens of India. And as per the accord, those who came between. 1.1.86 and 24th March, 1971. Will be potential citizens; they will be treated as potential citizens. They are not going to be deprived of all of their rights. They will enjoy all other rights. It is only the voting right that they will not be able to enjoy for ten years from the date of detection. So, if from now onwards they will not be able to exercise it for ten years, heavens are not going to fall. If they have really come after 1966, between 1966 and 1971, do you think they have any moral right to have franchise? Only because there was a loophole in the law, only because they were allowed to remain there, for all times to come they should be treated as citizens of India, As T said, there has to be a demarcation,

there has to be discrimination, there has to be a distinction, between these who ar $_{\rm e}$ citizens and who ar $_{\rm e}$ not citizens. Parliament is fully competent to lay down rules in this behalf or to lay down guidelines in this behalf.

Now. ihe question remains of those who came on or after 25th March, 1871. They will noither be citizens of India nor they will be potential citizens of India who are going to get right of franchise after ten years. And it is those people, who might be 15 lakhs or .20 lakhs, that may have to be expelled from the territory of India, because they are not going to be absorbed. The main question hinges about them. As Mr. Mohanan was saying hat we are going to betray the minorities. I do not think we are going to betray th minorities. Our rule is the sam? for the minority and the majority. And I think that most of those people who have come after 1971 belong t< majority community, not to the . mority community. So the real thing ts of concern to those people who have came after 1971, and who have to be expelled from the territory of India. This has posed some problem cause in this case I have my own HPprehensions also.. Suppose the Bangladesh Government does not accect them back, what will you 3o? Are you going to force them into Bangladesh? Bangladesh ls opposing ever, erection of barbed wire fencing or. Ihe border. They do not want it. They want to send their people to India. They want to complicate the situation here. They want to add to our burden. They are bent upon this. not accept them .Are you going tt with them? So a practical difficulty will arise only regarding the people who have came to Assam, who have settled in Assam, and who have come there on or after the 25th March; 1971. I must point out that in this Ci;>5 the burden will have to be shared by the West Bengal Government. The Bengal Government is already agitated about it because lakhs and lakhs are there lying in camps. Since they are

Bengalis, they generally want to remain in Bengal or on the periphery of Bengal. The real problem i for West Bengal. These people will somehow bo going there. But that won't solve the problem. It they are not citizens la Assam, how can they be treated as citizens in West Bengal? Once a person is taken as a citizen, then he has the right to settle anywhere in the country except, of course, Kashmir. He has the fundamental right to settle anywhere in the country. Unlers they are made the citizens of India they should not be made to settle anywhere in the country. That will create a practical problem for our country. I think this will have to be taken due care of.

I was going through the debate in the other House on the subject and I find that some of our opposition friends said that this Bill has been brought by the ruling party for election purposes in order to gain some benefit in the elections. Madam, this settlement was arrived at on 15th of August and the session of the Pailinment was adjourned after 8 or 10 days. Now this is the very next session in which we are meeting. In this very next session our Government has brought this Amendment Bill. What is wrong about it? Our Government wants to give a practical shape to the Ass:m Accord as early as possible. Had the Government not brought it today and had they brought it in the next session, then the opposition would have said that the Government is not sincere and serious about it. Once our Government has brought it as early as possible, the opposition people say that we have brought it just to have some benefit for the purpose of those elections that are going to be held in Assam. Madam, 'it is indeed a very sad commentary on the conduct of our opposition friends who want to oppose even this Bill. I went to Assam personally twice or thrice between 1980 and 1984 to study the situation there and I found that many of our opposition parties were even trying to add

fuel to the fire in Assam. They were trying to complicate the situation. They wanted them to agitate. Now when the Agreement has been reached and action is being taken to create some sort of harmony in the region, our oppjo,sition friends are feeling otherwise. So, there is a lot of difference between what they say and what they do. But in the larger interests of the nation, I do not think our opposition parties should behave in such an irresponsible way.

Madam, one more thing has to be taken care of and that is further influx from Bangladesh.' You said that nobody will be allowed to stay here after 1971. They will be expelled. If people keep on coming from Bangladesh, what will happen? It has to bensured at all costs that no more people are allowed to come over to la from Bangladesh. This can be ensur ed perhaps only by erecting the barbed wire fencing as early as possibi'. I have said in this House, time and. again I repeat it once again that our Government must take prompt action in this regard and must try to erect the barbed wire fencing on the border between Bangladesh and our country as early as possible so that there is no further influx from that .side to our side. (Time bell rings) Madam, I have read in newspapers that the Gana Sangram Parishad people are not happy about those people who ar? from U.P., Bihar, Madhya Pradesh and Orissa who are living there for 10 years or 20 years or more than that.

They want even these people 3 P.M. to quit Assam. But I do not

think our Government should try to appease them on point. As I said earlier, the that citizens of India are free to settle anywhere. If our Constitution holds good, then these people who have been, there, who have been working there and who have been trying to improve the economy of Assam must not be allowed to quit Assam. In this connection, it must be mentioned that more than two million such people

[Shri P. N. Sukul]

from UP, from Bihar and from MP already filed complaints that their names have been removed from the electoral rolls. That is why I am mentioning this thing. Our Government must ensure that all these people who are the citizens of India and who might have migrated to Assam from other parts of the country ana who have been there for the last ten or twenty years, are able to cast their votes just as any Assamese living ir. Delhi are able to cast their votes. So, this should not be agreed upon at ;ill that any other people from any other State of India will also not be made to stay there. Our Comrade Mohana 1 was saying that we are trying *o create two types of citizens. We arc not frying to create two types of citizens. On this day when we are taking this decision only one kind of people will be deemed as citizens of India; the others will be liable tc be marie the citizens of India after ten years of detection. So, two kinds of citizenship do not exist at all and do not exist simultaneously. It is wrong to say that there are two kinds of citizens in India. And, I think, Comrade Mohanan's charge that we are betraying those who have laid down their lives for the national integration is also not correct. We are only trying to expel those who have come after 1971. And I know that those who have come after 1971 have not laid down their lives for the integration of the country. So, wrong statements must not be made. People must not be befooled. We should take the things in the right perspective and try to help the Government in restoring peace in the region.

Madam, with these words- I support the Bill.

SHRI JASWANT SINGH (Rajasthan); Madam Deputy Chairman, I think, this needs to be disposed of quite early, what I have to say, as io -where the B.J.P. stands as far as the

of Settlement, Memorandum commonly called the Assam Accord ol 15th August, 1985, and the subsequent Citizenship (Amendment) Bill, 1985 are concerned. We welcomed the Accord. we welcomed the settlement on the day on which it was announced he ce on the floor of the House and outside of the House. We believer; that consequent upon the settlement, there was need for a more effectivr: .implementation ot the settlement itself and for certain subsequent steps. In fact, participating in the debate on the occasion when the announcement the Memoradum Settlement. I had cautioned the Government and had drawn the Govtrnmenfs attention to the creation ofif I remember, I used the phrase-the possibility of Constitutional conundrums that have been created in the very act of arriving at the settlement. We had drawn the Government's attention to that. And if the Government has chosen now, even if it has done so on the eve of the Assam election, we still nevertheless welcome this measure because we feel that it will go towards a more effective implementation of the Assam Accord, that it is a part of all the consequential steps that we had for long been recommending like revision of electoral rolls, detection and deletion of foreigners, disenfranchisement-in fact, the BJP is the first to talk of disenfranchising as against deportation-and elections in Assam.

Having said all that, Madam. I would be failing in my functioning if I yet again do not remind the Government of the constitutional difficulties that have been created in the very act of the Accord. I have yet another difficulty, which is about the implementation of the settlement. But I w'!l come to it a little later. There are three particular difficulties- Constitutional difficulties, that, T believe have arisen as a result of this Accord und these relate to article 11. article 14 and 19 and article 29(1). I do not

want to labour on these points. I am sure the Government will be better able to answer those. I will 'ery briefly come to what I have to say

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about each of them.

About article 11, Madam, if i am right in understanding it, it relates to the right of grant of citizenship or its denial. It deals with citizenship. And, of course, it if the prerogative of Parliament to regulate the whole question of citizenship. But I do not think this article 11 or even the Parliament is permitted to provide for different classes o,f citizens, some with voting rights- and some without voting rights. If one is a citizen of the country, by assumption one is entitled to all the privileges that go with being a citizen, as indeed the responsibility of being a citizen, which is an aspect which is post-1980 amendment to the Constitution. So a question does really arise and 1 would request the Minister to apply his mind to it so that this otherwise welcome settlement, welcome accord is more effectively implemented. Can an individual be called a citizen of the country and yet not be allowed to enjoy the fundamental rights o5C equality before law, or if he oi she is told that she might enjoy nil other rights of citizenship but not have the right of franchise? Now, we are creating in the process a practi-, cal necessity, to better implement the accord, we are creating a category of citizens as separate, and distinct, about the practical necessity of whicli I am not in two minds with the Government, but we have created a constitutional conundrum, I do mention it to the Government that you cannot have a citizen with voting rights and another citizen without voting rights, just as you cannot have a citizen with fundamental rights and another citizen without fundamental rights Just let me examine the whole proposition in one or two sentences.

The very same entrant into India between 19(56 and 1971 whom you debar from the exercise of franchise

in Assam may emigrate to adjacent Bihar, to nearby West Bengal, to An dhra Pradesh, to Rajasthan, or to Delhi, in fact anywhere. There he is entitled to vote. But in Assam he is not entitled to vote. We have created for ourselves a constitutional conundrum and the Government have to apply itself to this particular aspect. I do not think that the mere fact that the revision of electrcal rolls has taken place or that elections are now in the process of being completed in Assam, absolves us of our responsibility in ridding the Constitution of India of this particular conundrum.

Secondly, Madam, about articles 14 and 19, they relate to fundamental rights and if you touch upon the right of citizen, right of franchise, I do believe that by implication you are touching upon fundamental rights

Now, I would like briefly to refer to article 29(1) which is about the freedom that any citizen residing in any part of the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same. I believe that the spirit of article 29(1) is in some fashion eroded by the Citizenship Bill. 1985..... (Time bell rings). I will conclude now, Madam. This is a lengthy subject which has been the subject of considerable interest and study for me. As far as the implementatioa of the Accord is concerned, for a more effective, for a more purposeful, for a more long-lasting implementation of this Accord there is a great deal of discontent within Assam with which, I am sure, the hon. Minister who comes from that region himself, is not unware. On the occasion of welcoming the settlement, I had, in the very House, made a mention that we recommended that for a more effective and more long-term solution of the problem of illegal 'immicranta in to Assam, you have to consider 3 or 4 proposals which T would like to repeat. First is the in[Shri Jaswant Singh] traduction of identity cards in all sensitive border areas; secondly, а special census in Assam followed by once and for all the elimination oi immigrants from our rolls the revival of a national register of citizens in this region. Next suggestion that I have to make is now is the fit time to ban regularisation of encroachment on reserved forest land not just of Assam but of the whole of North-East. Please ban any encroachment or regularisation of that enroachment of any reserved forest land anywhere in the whole of North-East, whether in Assam or in Mizoram or 'laya or anywhere. It is surest way of controlling in one stroke and solving two problems: one relating to illegal immigration and number two, the terrible descreation of the great wealth of North-East. its forest wealth. I would like to conclude byone sentence now. My hon. friend and colleague from the Treasury Benches mentioned and illustrated that Punjab has been solved, that Assam has been solved, that Gujarat has been solved. I would like to caution my colleagues about mistaking between solutions to problems and moving towards solutions. Indeed, the accord in Punjab or in Assam or in Gujarat. is a movement towards solving fundamentals of that region, of that State. We would be mistaken if we thought that in the particular act of signing the memorandum or arriving at an accord. the problem its-elf ini Assam of illegal immigration, has been resolved. Tt is but a first, a very welcome, a very belated, but inst the first step towards solving that problem. Therefore. I would appeal to the Government to make a distincion and to recocni/e what tinction i, between a politician and A politician looks only a statesman. for the next election: a statesman looks generation. Tn Assam, we for the next need! an approach which looks for the next generation.

9HRT BAHARUL ISLAM (Assam 1 rise to support his Bill. This Bill is

nothing more than to give legal sanction to the Assam Accord. Assam accord ib a political document and without the Parliament's legal sanction, it has no

Before 1 make my- submissions before this hon. House, I want to make some facts straight. Mr. Mohanan said that our late Prime Minister, Shrimati Indira Gandhi, said that "1971 shall be the cutoff year" and why should the present Government go upon that date. This is not correct. What Mrs. Gandhi said was this. Because a cut-off date could not be arrived at between the leaders of the movement and the Government of Assam, what she said was, so far as detection is concerned, "let u_s start from 1971". She did not use the word 'cutoff' and there was a very strong legal and Consitutional reason for this.

It is known to all lawyers that foreigners can be deported only to their country of origin. They cannot be deported to any other country. So far as these people were concerned, these people emigrated from the erstwhile Bast Bengal Province of Pakistan and they were citizens of that country. But now, on 25th March. 1971, Bangladesh was born. Bangladesh was established by revolution. East Bengal province of Pakistan ceased to have any political identity. It disappeared from the political map of the world. Therefore. even if there had been a huge number of foreigners from East Bengal, they cannot legally and Constitutionally, and under the international law, be deported to any other county, because they do not have the country of their origin.Sorfe people ask. "what about Bangladesh?" Bangladesh is the geographical identity of East Bengal, but not the political identity. For example. I am a Muslim today and am governed by the Muslim Personal Law. Tomorrow, change my religion. From that moment. 1 will lose my earlier legal identity. If Mr. Jaswant Singh or Mr. K. Mohanan accept any other religion tomorrow, they cease to be Hindus and they will be governed by an entirely different religion. They lose their legal personality. Same is the case with Bangladesh and East Pakistan. These people cannot be deported because they have lost their country of origin.

That was the very reason «hy Mrs. Gandhi said that we should start item 1971. Of course, the persons who have come after 25th March, 1971. would be citizens of Bangladesh. It may be legallymay not be physically—possible to deport them to that country. This was the >ea-

Another thing is. it has been pointed out by one of my colleagues that it was mentioned in the other House that the elections have been ordered having in mind the electoral gains for the party in power. 1 will give facts and figures, which will show that so far as the elections are concerned, i(will be to the detriment of the patty in power. This shows the bonafide of the Government.

Mr, Jaswant Singh also asked, why should there be two classes of citizens? On this particular point, his argument and the argument of Mr. Mohanan was the same. Their argument was, why should there be two classes of citizens? These people's names were on the voters' list right from the beginning till today. Now. people who came after 1st January, 1966 and before 25th March. 1971. will not be treated as citizens for ten years, compared to the people who came before 1st Jnauary, 1986. If their argument is correct, after the passing of this Bill, if they move the Supreme Court under article 32 of the constitution of Tndia, the Supremo Court will perhaps strike down this law for the reason that you cannot have two classes of citizens, covering different periods. But their premise i<, wrong. We will have to examine that premise. All these people who came from the beginning after partition up to 1st January. 1966 and thereafter up to the 25th March, 1971. were not citizens on legal and Constitutional grounds. The thing is, as I indicated at the beginning, they were citizens of East Pakistan. They came here. They were the miserable victims of partition. They suffered a lot. There was a commitment by our Government that they would be treated as our people for al] purposes.

SHRI K. MOHANAN: How were their names included in the voters list?

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SHRI BAHARUL ISLAM: I am coming to that. Mr. Mohanan If I do not answer thai, my argument will be incomplete. will say that, how their names were cluded in the voters' list. As 1 said, these people came and for all practical purposes, they were treated as Indian citizens. They were de judo citizens. They were treated as our people. Now, Mr. Mohanan knows, everybody knows, every political party worker knows, how the voters list is prepared. The list is prepared, the enumera- • tion is done by some school teachers end such other persons, who go from house to house. These people prepare the list. Then, claims and objections are invited and finally, the list is published. These people who do the enumeration donot have any legal or Constitutional idea of citizenship.

SHR1 K. MOHANAN: For the last twenty years?

SHRI BAHARUL ISLAM: That is what f am going to tell you. (Interruptions) You are perfectly right that only after fulfilling certain conditions under the law a person has a right to be enrolled as a voter. The moment your name is in the voters' fist; the presumption is that you are a citizen of India. And if it can be proved that your name was wrongly or illegally registered as voter, your name can be deleted. That is what the Government is doing. Now. when these people came to India, they must be covered by the definition ni "citizen' under article 5 and 6 of the Constitution till the enforcement of ihe Constitution on the ?6th January. 1950. and those who came after 1950 are to be covered by the Citizenship Act. Therefore. we will examine whether for this purpose you are an Indian citizen or not, whether you are covered by the definition of ctiizens articles 5 and 6 of the Constitution or not. Tf vou are covered, you are a citizen of India. Then we will see whether you are covered under the provisions of the Citizenship Act. If you are you are the citizen of India, nobody can touch you However, if you are not covered by any of these provisions, legally, .under the law. dejure you are not a citizen of India, and, therefore, you are a foreigner. A foreigner ha? been denned in the Indian Foreigners Act

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[Shri Baharul Islam] | as one who is not a citizen of India. It is unfortunate that at the begining" when these people came from East Bengal they were not declared under the Citizenship Act by the Government as Indian citizens. That was the lacuna and the leaders of the Assam movement caught hold of this lacuna, and said, well, yon are foreigners. If we examine this aspect legally, you will be found as foreigner. So, an amicable settlement had been arrived at through this Accord of give and take. As I told you, it is impossible to deport these people to East Bengal. East Bengal is dead and gone. Those who came before 1971 were the citizen', of East. Bengal and so they cannot be deported. So, a via media has been found through this clause 6A. The number of the entire lot who have come before 1951 to 1966 is said to be 15,33,000 and between 1966 and 1971 5,45,000. These are approximate figures. There may be errors here and there, subject to correction. The total comes to 20,78.000 people. So, the solution of give and take via media is all right, in order to bring an end to this turmoil, to this dispute in Assam, we accept these people as permanent citizen, and fc_T all practical purposes we declare them under clause 2 of 5.6A as full citizens with retrospestive effect from 1st lanuary, 1966. So far as the rest are concerned, as I used the expression, they are the de facto citizens, which means they will enjoy all the rights and privileges including the right to get a passport but not the rig'ht of franchise for 10 years. Thereafter they will retrospectively be citizens. After they become the citizens of India, certainly, they will get that right to vote. If you are not a citizen, the Government has got the right to delete your name because originally you were not citizens and your names were wrongly included in the voters list. We can say, all right, we are very sorry that due to some mistake committed by you, because you did not get vour name registered and you did not get sour declaration, you lose your right to vote. We also did not make a declaration from our side. So. for ten years only you will enjoy all other rights except voting. And that was the compromise.

Now, jt cannot be understood how on' the one hand you are welcoming ihe Accord and on the other objecting to the Bill, This Bill is only giving a legal sanction to the document. Therefore, there cannot be any objection to this Bill.

There is one more important thing so far as we are concerned. In a small see-< tion of people in Assam there was a criticism that the Accord is anti-minority. This is neither an anti-minority nor pro-majority Bill. This is a step towards ending the turmoil in Assam. Assam was binning. Now the fire has been extinguished. We are having a peaceful life in Assam and we want Assam to progress and prosper. It is unfortunate that some people are suffering. Now I will show you who will lose their voting rights. Now from 1951 to 1961 the population of those who have been declared as ful] citizens with effect from Ist lanuary. 1966 was nearly 15,33,000 and the number of voters was nearly 6,59,000. So 15,33,000 of populaiton have been accepted and the voters were 6,59,000. Now from 1966 to 1971, the total population of those illegal immigrants was supposed to be 5,45,000 and the voters were estimated at 2,34.000 approximately. So 15.33.000 are completely protectel by this Bill. Those who are likely to lose their right of franchise are' about 2,34,000. The gain is much more; the loss is less. Now for this purpose if trie party in power would not have come with this Bill today but would have come in ihe next Budget section, possibly they would have got more votes. Now it issaid in all newspapers and ofher places that these minorities are the vote banks of the Congress Party. Tf that were sO. the Congress Party is losing about 2,34.000 votes in this election which is detrimental to the party in power *i.e.* the Congress Party. This shows the bonafide of the Government.

Therefore theic is nothing wrong. Tt 19 for a very good purpose and it should be welcomed by all. What is of utmost importance, of basic and fundamental importance for th_c Government is to per- * petnally stop illegal immisration from outside to not only Assam but to the entire Eastern region plus West 'Beneal,

Otherwise there will be more trouble i

Thank you very much.

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P. REDDY (Andhra SHRI BABUL Pradesh): Madam Deputy Chairman, this is a small Bill aimed at amending the Citi-· zenship Act. It is beyond dispute that this amendment is brought forward with a view to implementing a portion of ihe Assam Accord. Madarn, the hon'ble Member, Shri Sukul, when he was speaking, took exception to what was said in Ihe other House that there is some political I motive behind this Bill. I say this Bill can come up today or in the next Session; there is no dispute about it. Those who supported the Accord cannot oppose this Bill, and those who opposed the Accord cannot support this Bill There difficultty. But point is no the is, more urgent measures which require implementation are receded to the background and what is not so important now is taken up. Why I am saying that is, those that came to Assam either before January, 1966 o_r before 1971—all of them are entitled to vote for this election, whether this amendment is there or not. So where was the urgency? We had other Bills. For example, the amending Bill increasing the number of Judges in the Supreme Court. The Lok Sabha passed it in the last session, that came before this House also on the last day of previous session. It was pushed b;ick this time. It was en the agenda; it was pushed back. When thousands of case*, in fact lakhs of cases are accumulating in various courts, particularly in the Supreme Coyrt, that Bill is pushed back. This Bill is pushed forward. What for? Mr. Sukul must concentrate on this.

[The Vice-Chairman Dr. (Smt) Saroj*n*\ Mahishi) in the Chair].

SHRI BAHARUL ISLAM: Because the Supreme Court does not have enough Chambers for the new Judges.

SHRI P. BABUL REDDY: The Judges can be asked in these days of socialism to share a chamber. For want of a chamber the Supreme Court Judges' number is not increased! You can put up temporary chambers for these ubges. What does it

matter? Five lakhs of people are living on the pavements in Bombay. Can you not ask Supreme Court Judges to share chambers? They are not sharing with a man passing on the road. That is not the

The point is-my dear friend, Mr. Sukul, please concentrate what is the motive, what is the urgency. No provision in this Bill will come into force for the purpose of the present election, you take it from ... (Interruption). The only object is, five years afterwards when the next election comes, those that are detected as foreigners, who have come after 1st January, 1966 will not be able to vote for that election. That also is five years away. Both classes of people, either they came before 1966 or atfer 1966 and before 1971 are entitled to vote for this election...

SHRI P. N. SUKUL: How is the Congress Party going to gain in that election?

SHRI P. BABUL REDDY: I will tell you, Mr. Sukul. You are right. Without substantiating that part, my submission would be truncated. I will substantiate that part also. Before T go to that, please bear with me, there are other, more important, parts.

In this very same Accord specially so many assurances have been given, so many safeguards are promised. For example, the Assam people were given a promise that necessary constitutional, legislative and administrative measures would be taken for protecting the rights of Assam people, the social, cultural, educational and, also, linguistic identity of those people— a v»ry important safeguard. But nothing is done about that—and that is more important. This Bill can wait for five years. Even if you come after four years with this Bill, nothing is lost. But nothing is done. Then, special emphasis is laid in that Accord on educational, technological advancement and establishment of a National Institute. Nothing is said about it. Then, more important than all these things is, allround economic development is promised in that Accord for improving the standard of living of the people there.

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[Shri P. Babul Reddy]

Madam, I myself have seen Assam twice or thrice. God has blessed it with all nature's bounty. It has got wonderful climate, very good rainfall, lots of fisheries and very valuable forests. Fifty-five per cent of the tea in this county is produced there. It. has coal, it has oil, it has river waters. Not a drop of the Brahamaputra water is touched by the Assam people because there is so much rainfall there. But still the people are poor. God has given everything but man has failed it, even after 38 years of Independence. You take it from me, I have seen all parts of the country, and no ofher State in the country is blessed with Nature*? bounties as Assam is, but still Assam is poor. Even after 38 years of Independence, you have not .thought of doing anything.

Then my friend. Mr. Sukul, has rslced. "what advantage do we get"? You want to go back to the minorities and my dear friends, we are sincere about you: You are banking on the minorities and tell him that you are going io give them citizenship. "Look at this. We have already made a Bill. The Presidnet himself has signed it. Some of you are deemed citizens Elready, those who came before 1966. and others have to wait only for ten years. Your rights are also assured." You want to tell them this and cash in on their votes. That is the point.

SHRI P. N. SUKUL: Mr. Reddy, it was aire Jy in the Accord. . . (*Interruptions*) . . The whole thing was in the Accord.

SHRI P. BABUL REDDY: An award is an award; it is not law. Tt is only a promise. Yon may do it or you may not do it. Suppose you are defeted in the present election, you may not go back. But you want to tell the minorities there. "Please vote for us; we are already implementing it". That is the urgency. Other wise you would have waited for four years.

Now T am coming to the merit? of this small amendment. Here it is said there are two classes—divided. One class is

those who came before January, 1966 Another is after 1966. Before 1966 they are deemed citizens. No further anomalies would arise. They are there. It is said thatthis Bill may not be contitutionally valid. I do not agree. It is constitutionally valid, because if they are made citizens giving other rights and they are deprived of the" voting right, then, it would attract unconstitutionality, but not otherwise. So, I do not think so. Article 326 is violated as is said by some friends in the Lok Sabha. It is not correct. Article 11 gives ample power in the matter of citizenship, to whom citizenship should be given and in respect of whom it should be withdrawn. Parliament has absolute power. There i* no difficulty. But the difficulty would come this way. Kindly see sub-clause (4) of section 6A which is sought to be inserted. It says that they would be deemed to be citizens for all purposes excepting for voting. What are these rights? Only legal rights you can confer. Tn the Constitution there are certain rights available only for the citizens and not for non-citizens. By saying that you would be citizens for all practical puposes you cannot confer those rights. You may say this with respect to other enactments. But in respect of the Constitutional rights, unless the Constitution is amended, they cannot be given. For example. T would say this. Take article 15. Tt is available only to citizens. That is no discrimination on grounds of race, caste or sect or religion. Tt is only for citizens. Article 16—equality of opportunity in employment is only for citizens. Article 19—the freedom of speech, the right to do business, all these things are only for citizens. But article 14 is to any person. One need not be a citizen. For example, they say, all rights are there. These are some people who have come from East Bengal after 1966. A person is 40 years old. He is an adVoea'e workins there. He is eligible for appointment as Judge. Can you appoint him as Judge? Article 217 (21 says that only a citizen of this country can be appointed as Judge of a High Court, and only a citizen car be appointed as Judge of the Supreme Court according to article 124(31. So. you cannot s'v that by saving this all rights they will enjoy. They would not be able to enjoy those rights that are conferred

by the Constitution on the citizens because this Act cannot amend the Constitution.

The Citizenship

Then. (will point ou! one more clefs. The Biil says, after ten years of detection they would be entitled to citizenship, not for ten years from detection. This starting point from "detection" is wrong. It must start from a particular date. Otherwise, it would lead to a lot of anomalies. The hon. Minister may gee the point I urn making. Justice Baharul Islam, the hon. Member, here has given the figure of 5,66.000 people fall in category two, that is, those came after 1966 but before 1971. So, the Tribunal has to enquire about these 5,66,000 people. They have to be detected, and then they have to be registered. From the date of registration their rights would start. They would have all the rights of citizenship for what time? For ten years. From what date? From the date of detection. Suppose, in one man's case detection- takes place in 1985 and in another man's case the detection takes place in 1988. So, the 1988 man will have to wait for another ten years. So, it should not be from the date of detection. This is a great anomaly. I have not seen this having been pointed out. And I am sure, I am not running on a slippery ground. It me,ans that about 6.66,000 people you have to make enquiries. The Tribunal will detect one man today, another can five years afterwards. Because there is delay in detection, why should that man suffer after ten years for another five years? So, this date should also be amended. It should be from a particular date .(Time hei! rings) You can give one date. Irrespective cf when detection takes place, . he should citizenship right from that date. In all seriousness I submit that this requires particular attention.

Already the bell has been rung. I have got a few more things to say but I will reserve them for myself. And I conclude.

SHRI PAWAN KUMAR BANSAL (Punjab): Madam, the uncertainty and the scourge of disease and hunger jn the erstwhile Pakistan and the exemplary working of the Indian society had always motivated a Tery large number of people there to

cross over to India looking for green pastures here. The war of Bangladesh liberation also left in its wake millions of refugees in India.

(Amdt.) Bill, 11)85— Discussion nol concluded

True to the spirit of Pandit Jawaharlal Nehru's words at the time of country's partition in 1947 to which, Mr. Mohanan whil; initialiog the debate referred to, we treated the people crossing over to this country as our brothers and with them we stored their feelings of agony and -oi row

Bui to our dismay, the influx of people crosing over from the erstwhile East stan later on christened as Bangladesh continued unabated and it had cms repercussions for us at our home, felt that, they were people of Assam going to be overwhelmed by the foreigners and reduced to a minority. In this way, they also saw a challenge to their own culture and social and economic interests. This situation was exploited by those elements who alarmed multifaced progress, have always pired to destabilise the coimtry. Tending the fire by them led to an orgy of violence in Assam that rocked the entire nation. For years there was complete disruption of normal life and it was lawlessness that prevailed in this strategic State. Ostensibly, the demand was the expulsion of foreigners, but in their unguided and immature enthusiasm and uncontrolled zeal some of the agitationists also created a feeling of insecurity even in the minds of Indian citizens who had been living in Assam for long and had contributed sigui^J ficantly to its economy that may be the axe would fall on them as well. This development was a serious challenge to our efforts to strengthen national integration and build a strong nation free frorru any tension, social or economic and to uphold the basic principles regarding the fundamental rights accepted by the Government and reflected in our Constitution

On humane considerations, we were sympathetic, towards those unfortunate bretheren who were compelled to tale shelter in India, but the Assam agitation defied every solution. A long drawn out

[Shri Pawan Kumar Bansal]

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agiatLon had a telling effect on our own

Finally, it was left to the political sagacity and statesmanship of the Prime Minister, Shri Rajiv Gandhi, to act boldly in the matter and arrive at a settlement with the AASU and A.G.P. that would put an end to the long drawn out agitation on the historic and eventful day of 15th August. 1985, when the country was fervently celebrating the Indepen^ dence Day.

The Assam Accord being a political settlement did require a piece of legislation for back up support and to give effect to and implement its provisions. The Assam accord coming on the heels of the historic Punjab accord, put an end to a period of turmoil and organised violence and ushered in an era of peace, hope and expectancy. As such both the accord and the amendment to Citizenship Act which is now sought to be introduced amended by the present Bill should have received an outright and unreserved approval. But I am amazed to hear the voice of dissent in particular the criticism of the hon. Member initiating the debate and to find that motives are being attributed for bringing about such an important piece of legislation in the Parliament at this time.

In one sentence, Mr. Babul , Reddy wondered what was the need for bringing such an amendment at this moment; and in the second he said that the detection of the foreigners would entail a real long time and would ultimately frustrate those people and cause untold hardship to. those who would be detected as foreigners. In this respect, my humble submission to the Hon'ble House is that it is precisely to meet such an eventuality and to start the process of detection cf the foreigners without loss of time that this Bill has to be brought in now, so as to avoid harassment to those people, who may be detected after 15 years as foreigners if the Bill weie to brought in after 5 years from now. Madam, I humbly feel that the Bill, as it is bre light now has to be viewed in the large national perspective and not

with the jaundiced eyes or with narrow political ends in mind. The Question before us is not that of minorities suffering in the country. Our nation is duty bound and is determined to see that such a thing does not happen. The question before u& as far as Assam issue is concerned is that of the oriegners influx in the country and the concomitant problems that have cropped up. Every' sovereign country has laws, regulating the question- of citizenship and foreigners. As and when new development takes place, it has to be met by die necessary amendment to the existing laws or to enact new laws, if need be.

The present Bill, as We . all know, has categorised the people of Indian origin, coming from East Pakistan or Bangladesh into two categories. Those who came before 1st of January 19(56 and settled in Assam have outrightly of citizenship been conferred the right with effect from 1st of January 1966. The other category is that of those persons, who came during the period 1st of January. 1966 to 25th day of March, 1971; as far as they are concerned, they are conferred the same rights as of a citizen or! Indian except the right to vote for a period of ten years, after detection as a foreigner. Much hue and cry has been raised over this provision. calling it betrayed of Indira-Mujib pact, violative of international convention, going back on the assurances to minorities and also as contrary to the Constitution of India. This is without basis and untenable (Time bell rings) Madam Vice-Chairman. I will take only two minutes. I find these allegations wholly without basis and untenable. The basic fallacy in the argument of the opponents oi Assam Accord is that any person migrating to India the commencement of the Constitution i.e. 26th January, 1950, does not .ipsofacta get the right of citizenship of this country Article 11 of ihe Const! ution, which has been referred to earlier, empowers the Parliament to make any law with respect to the acquisition and" termination of citizenship. Exercising that power, a new section 6^VA) is

sought to be inserted in the Citizenship Act of 1955. There is no conflict between these provisions and the provisions of Article 326 of the Constitution, which envisages adding of the name in the Electoral Roll and holding elections, on the basis of adult suffiage. That is a right which accrues to every citizen above the age of 21 year:;, to be registered as a voter for the Lok Sabha or for the State Legislative Assembly.

The Citizenship

THE VICE CHAIRMAN [DR. (SHRIMATI) SAROJINI MAHISHI]:. I request the. Hon'ble Member to con-

SHRI PAWAN KUMAR !3 \NSAL: Clause 2 of the present. Bill, which seeks to insert this section does not intend to deprive any citizen of India the to vote as enshrineJ in Article 326 but clearly and unambiguous!;, provides that a person detected to be a foreigner, in accordance with tha provision ot foreigners Act. 1946 and the foreigners (Tribunals) Order 1964. and who haa come over to Assam from the specified territory, during the relevant period iM. 1966 to 1971 shall have the same rights and obligations a, a citizen of [ndia except the right to have his name included in the Electoral Roll. According to, sub-section (5) of section 6-A after the expiry of ten years from the date on which he has been detected to be a foreigner, he shall be deemed to be a citizen for all purposes. Madam, this connotes that this category "has been denied only the right of vote for ten years. Except'ng this, they have been granted all other rights of a citizen of India. I do not see how this provision contravenes the Constitution, a_s alleged. On the other band. the present amendment, when brought on the statute-book would remove every uncertainty which shrouded the fate ind future of the people of Indian origin who came from East Pakistan or Bangladesh.

It has been said that certain persons who were already enrolled as voters Jn the State would now lose their right to vote. It may be so, but the

legality of the situation we can appreciate only if we remember that mere inclusion of a name in thi; electoral roll by itself does not confer citizenship, though acquisition of citizenship is a condition precedent for the inclusion of the name in the voters list. It is in this perspective that the Assam Accord and the present Bill have to be viewed. And it is in the national interest that issues are not raked up to confuse the situation. The Accord was arrived at in an atmosphere of give and take, keeping the larger interests of the motherland in mind. There was no question of a cut-off year as such as referred to by Mr. Mohanan. And i; you permit me to say, if we go through the Accord or the present Bill, the "cut-off" year, if he so understands it, still remains 1971 because it is only the people who came over after 1971 who would be deported or expelled from the State.-

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Discussion not concluded

To conclude, Madam, I would only humbly say a word about allegations that the present Bill, in fact, has encouraged secessionist tendencies. My humble submission is that it was precisely to curb and contain such tendencies that the present Biil has been brought about. The people of Assam have been told in clear words that it is only the people who came over to the State after 1971 who would be considered for expulsion. But as far as the people who came and settled in the State before then and to whom the right of citizenship is no,w being sought to be conferred by the present Bill when enacted into law, it would be there for all times to come and they would be very much Indians as any other Indian.

With these words, I support the Bill and I am sure that after the enactment the Government would lay emphasis on ensuring that the people of Assam get their due. It is here that 1 would support Mr_ Babul Reddy, that no effort should be spared to ensure that the people of Assam enjoy all-round development and as he put it man does not fail God. Thank you.

SHRI ALADI ARUNA alias V. ARU-NACHALAM (Tamil Nadu): Madam Vice-Chairperson, I whole-heartedly supiis Bill. Ii is no JcuH in strict adherence to the clauses of the Accord reaches between the Government of India and the All Assam Students Union and the All Assam Gana Sangram Parishad on the 15th August of this year. The Assam Accord is a historical achievement of our dynamic Prime Minister. It has been hailed by all sections of the people. The impasse which prevailed since 1980 has been removed by our Prime Minister with his political sagacity and audacity. The Accord may not satisfy all the people of Assam. It is quite impossible to satisfy all people in any matter. It is an outcome of ;i compromise between the two sides. In any compromise, you know, there will be no. complete seccess of one party or there will be no surrender by the other party. This is the basic principle of compromise. In this sense, the Assam Accord is an outstanding achieve-

ment of our Prime Minister.

The problem of influx of immigrants, as far as Assam is concerned, is not a new one. Owing to the fertility of the soil, it attracted immigrants even during the English period. In 1951 nearly 14.4 pe_r cent of the total population of Assam were immigrants. Due to the Bangladesh war millions of people crossed into our land and a majority of them returned to Bangladesh but still there are a considerable number of people continuing to live here. Even after the completion of the Bangladesh war the influx of people, who used to come here ts still continuing. In 1981 alone nearly 1,94,457 people from Bangladesh crossed over to India. In 1982 the figure was 1,99,073. In 1983 it increased to 2,05,980. It has been admitted by the Government itself that the average rate of people coming into our country per month is nearly 2400. This abnormal influx of immigrants compelled the Assamese people to launch a direct action against the foreigners. It is not influx of people from within this country. It is the influx of people from * foreign country. Therefore, our Assa»#se people have every right to

fight against the foreigner, to resist tne influx of people from Bangladesh. Fortunately the issue has now been settled by our Government. On the basis of the Memorandum of Settlement the honourable Minister has moved this Bill. The purpose o* the Bill is to insert a new section in the principle Act so as to regularise the immigration of persons .who came to India prior to 1-1-1966 and between 1-1-1966 and 24-3-1971. Some apprehensions have been raised in regard people, category of the people who came to India between 1-1-1966 and 24-3-1971. According to me the fear is baseess and even meaningless After ten years these people are going to get their full rights. Even duiing these ten years they are not at ; • .!! losing any rights except the right to vote in an election. Another apprehension is about the validity of law. Parliament has every right to regularise the rights the citizens by law under Article 11 of our Constitution. So there is no room for any doubt in regard to the validity of this Bill. In fact, we must appreciate the Government of India and leaders of Assam agreeing to grant this concession to this extent. It is not a matter cf denying the right to our own people or to our own native people. It is a matter of concession to the foreigners. So there h is been this compromise. According to. me, the question of right does not arise in this issue. The problem of influx of foreigners to Assam would have been the issue, the dispute, between the Government of India and the Government of Bangladesh. But unfortunately it ha¹? developed as a dispute between the foreign minorities and the people of Assam. It i_{s a} peculiar feature of this problem. Our Government so far, to my understanding has not taken any serious steps for taking these people back to Bangladesh. Instead we are'compelling our accommodate these foreigners to here. This is the paradox in this prob, lem. According to the people we give citizenship right to all the immigrants who come to India prior to 1-1-1967 and we have assured to give citizenship rights after ten years to the people who came to India after 1-1-1967 and 24-3-1971. It is a good gesture on the part ot our Government. In other -words, we are enराइट कब मिलेगा ग्राप यह कह चुके कि वे फारेनर नहीं हैं जब तक कोई सिटीजन नहीं होता उस के बच्चों को कोई राइट नहीं मिलता। लेकिन जब आप उन को सिटीजन मान चुके हैं तो ग्राप उन को यह राइट कैंसे देंगे ग्रीर कब देंगे। ऐसे बहुत से केंसेज ग्राप को मिलेंगे कि वहां की लड़की ग्रीर यहां का लड़का, ग्रीर उन होतों की गादी हो गयी ग्रीर दोनों से बच्चे हुए। वे बड़े हुए तो उन को क्या वोटिंग राइट दिया जायेगा? क्या सोचा है ग्राप ने इस के बारे में?

यह बात भी मैं वता दूं कि फारेनसं
यहां आये हैं और जब उन को सिटाजनशिप का राइट मिल जाता है तो ही
उन के बच्चों को राइट मिल सकता है,
नहीं तो नहीं मिल सकता। लेकिन आप
उन को फारेनर नहीं मान रहे हैं। आप
उन को फारेनर नहीं मान रहे हैं। अगर
उन को आप सिटीजन नहीं मान रहे हैं
तो उन को पासपोर्ट कैसे देंगे। अगर
उन को आप ने सिटाजन नहीं मान है तो
उन को गाम में सिटाजन माना है तो
उन को गाम में सिटाजन माना है तो
उन को गाम में सिटाजन माना है तो
उन को गाम में सित्त मिलनी चाहिए।
दूसरी बात मां-बाप की है उन में अगर
एक इंडियन है और दूसरा बंगला देणी
तो उस का आप क्या करेंगे? इस
बात को भी आप क्लियर की जिए।

वड़ी चीज यह है कि जिस को तरफ में खास तीर से आप का ध्यान दिलाना चाहता हूं कि खाली यह डिक्लेयर कर देना ही काफी नहीं है। आप को इस के लिये एक बड़ी मशीनरी बनानी पहेगी कि वहां के सिटीजन सिटीजन समझे जायें इस लिये कि जो हालात है उस में माइनारिटीज को बहुत परेशानी होती है। ग्राप जानते हैं कि कितने ही डिक्ले-रेणन हुए उर्दू के लिये. नेकिन आज भी वह फारेन लेंग्वेज ही समझी जाती है। उर्द पैदा यहां हुई, यही बड़ी हुई, फली, फुली, लेकिन आज भी उसको सब फारेन लेंग्वेज मानते हैं ग्रीर वह फारेन ही समझी जाती है तो कह देना काफी नहीं है कि वे सिटीजन माने जायेंगे इसके लिये सेंट्रल गवर्नमेंट को कोई Discussion not concluded 4 P.M-thusiastic in giving cilozenship rights to the foreginers. My humble submission, Madam, in this context is that we are not showing the same enthusiasm i.nd interest in asking the Government cf Sri Lanka to give citizenship rights to the Tami!, of Indian origin who have migrated to Sri Lanka even a hundred years before their independence". Madam. I hope that the honourable Minister will explain the reason for the double standards in our policy. With these words, Madam, I conclude my speech. Thank you.THE VICE-CHAIRMAN (DR. (SHRI-MATI) SAROJINI MAHISHI): Hashim Kidwai. Not here. Mr. Ansari.

श्रो ह्यातुहला श्रम्तारी: (नाम-निर्देशित) मंडम बाइस चेयरमैन, जो बिल श्राया है वह बहुत कांग्रेहेंसिब है और बहुत सी बातें उस में साफ कर दी गयी है। फिर भी मैं चाहुंगा कि चन्द बातें और मिनिस्टर साहब साफ कर दें।

उन्होंने कहा है कि एइट टु सिटिं-जिल्ला रहेगा लेकिन बोट का राइट नहीं रहेगा तो क्या उन को सर्विस का राइट रहेगा? अगर रहेगा तो उस की देखभाल कौन करेगा? मैं यह बात इस लिये कह रहा हूं कि माइनारिटीज को गवनंमेंट सर्विस मिलना बहुत मुक्किल होता है और अगर इस बात के लिये कोई रोक्याम नहीं रहेगी तो बहुत मुक्किल हो जायेगी अभी जैसा कि हमारे एक अपोजीणन के दोस्त ने कहा है कि अगर कोई वकील बहुत पुराना हो तो क्या आप उस को जज बना देंगे? इस बात को मिनिस्टर साहब साफ कर दें तो अच्छा हो।

दूसरी बात यह है कि जो लड़के
पैदा हुए हैं यहां पर उन का क्या होगा?
बहुत से लोग यहां आये हैं, बाहर से
आयें हैं, यह हम ने माना है यहां आ
कर उन्होंने आदी की है किसी असमी
लड़की से और उन से बच्चे पैदा हुए
1966 में अगर वे आये थे तो उन के
बच्चे 16, 18 या 20 साल के हो गये
1985, 1986 तक, तो उन को वोटिंग

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[श्रो हमत्त्वा अन्सारो]

भगीतरी बतानी पड़ेगी, उनका देखभाल के लिये, नहीं तो एक अलग नया सेव्येशन पैदा हो जायेगी और यह सारा मामना यहीं पर ठक जायगा।

दुसरी बात मुझे यह कहना है कि में 1964 में अपसाम का दौरा कर चुका हं और वहां के सातो स्टेट्स को अलग ग्रनग देख चुका हूं ग्रीर मैंने देखा है कि वहां उस वक्त भी, प्रावलम पैदा हो चकी थी लोग ग्रा जा रहे थे में एक स्होरी बता दं में मणिपुर गया था डांस के सीजन में वहां एक लड़की ग्रायी ग्रीर उस ने डांस किया ग्रीर उसे बहुत पसंद किया गया ग्रीर वहां तो ग्रगर नौजवान लड़का किसी को पसंद करता है तो उस से मादी कर लेता है बह उसे इलोग कर के ले जाता है उस के बाद वह किसी लड़के के साथ चली गयी तो मालुम हम्रा कि वह तो फारेनर थी बंगना देश से ग्राईथी। कैसे ग्राईथी यह नहीं मालुम । वह सीमा पार करके आई था। ऐसे और भी धाते हैं उनको वापस भेज देते हें ग्रीर वे फिर ग्रा जाते हैं ग्रीर उनको वापस भेज देते हैं । उन्होंने हमें यह बताया कि यह तो रोज ही आते रहते हैं और रोज ही उनको वापस भेजते रहते हैं। मुझे मालूम हुग्र। कि ट्रेड भी होता है वहां पर । इंधर से सामान उधर जातो है और उधर से सामान इधर प्राता है। यह सिलसिला ग्रसम में टैन्सन पैदा करता है । मणीपुर, मेघालय में भी बाहर से लोग आते हैं। लेकिन यहां पर जुवान की प्रोबलम रहती है। क्योंकि यहाँ पर उनकी जुवान नहीं चल सकती इसलिये यहां पर इतने नहीं थाते । असम में जो लोग थाते हैं और वे ग्रमर भाषा नहीं जानते तो उनको वे विदेशी समझने लगते हैं इन्नेल्डिंग बंगालीज । यह प्रावलम 64 में पैदा हो गई थी । उसके बाद एक ग्रौर अजीव स्थिति पैदा हो गई। जब बंगनादेश वार हुई तो मुक्ति वाहिनी 120 मील अन्दर चलो गई थी। मेरी बड़ी इच्छा थी यह देखने को कि वह कसे लड़ते हैं। मैंने

यह सब देखा । हमने देखा कि भागने वालों में ज्यादातर हिन्दु थे । हमने पाया है कि सबसे ज्यादा हिन्दू की तादात थी ग्रीर उसके बाद म्सलमान ग्राये हैं उसके बाद बंगाली । ग्रसम की तरफ हिन्दू ही ज्यादा आये । जब वापस गये तो मुसलमान तो चले गये लेकिन हिन्दू वहीं रह गये। यह माइनोरिटी के कारण हैं ऐसा नहीं हैं । यह प्रोबलम जो है माइनोरिटी ग्रौर मैज्योरिटी की दोनों की बजह से हैं। नैपाली भी बहुत से ग्राये हैं । एक टेन्शन इस वजह से भी पैदा हुई कि ग्रसमीज लोग नान ग्रसमीज को फोरनर समझने लगे। यह ठीक है कि अभी कुछ सैटल हो गया है। लेकिन एक ग्रीर बात करनी पडेगी कि भ्रापको एक कमीशन वनाना पडेगा । ग्रौर वह नमीशन ग्रसम में हो रहे सारी प्रोबलम को देंखे। आपने एक एक्ट बना दिया और इससे सारा काम हो जायेगा। पर इससे नहीं हो सकता । इसको चलाना गवनमट मशीनरी का काम है। सैन्ट्ल गवर्नमेंट को ही हिम्मत के साथ इस नाम को नारना होगा। इतना ही नह कर खत्म करता हं।

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश): माननीय उपासभाष्ट्रयक्षा जी जो वर्तमान विघेयक है यह संविधान विरोधी है। भारत के संविधान में अनुच्छेद 326 में इस बात का प्रावधान है कि प्रत्येक व्यक्ति जिसकी ग्राय 21 वर्ष कें अपर होगी उसको बोट का प्रधिकार इस देश में रहेगा और वह देश का नागरिक होगा । लेकिन वर्तमान विधेयक को ला कर हमारे देश में दो प्रकार की नागरिकता कायमकी जारही है। एक तो नाग-रिक ऐसा होगा जिनका नाम मतदाता सुची में होगा और उनको बोट देने का अधिकार होगा लेकिन दूसरे ऐसे व्यक्तियों की श्रेणी बनाई जा रही है जिनका नाम मतदाता सुची , उनके रोल में होगा लेशिन 10 वर्ष तक उनको अपने मत के ग्रधिकार से बंचित किया जायेगा । जब इस देश में अंग्रेज लोग थे और हमारे देश में विदेशी हक्मत थी उस समय भी इस देश में दो प्रकार की नागरिकाता थी।

वहत से ऐसे नागरिक थे जिनकी बोट देने का ग्रिधिकार नहीं या लेकिन बहुत से ऐसे नागरिक थे जो एग्रीकल्चर इन्कम टैक्स देते थे या किसी दूसरे प्रकार का टैक्स देते थे, जिनकी ग्रच्छी हैसियत होती थी, उन्हीं को केवल बोट का ग्रधिकार प्राप्त था। लेकिन भारत का जो ग्राम ग्रादमी था उसको बोट देने का ग्रधिकार नहीं था। लेकिन हमारे देश में जब संविधान बना, संविधान निर्माताओं ने अपने देश के नाग-रिकों को सबसे मुल्यवान ग्रधिकार दिया श्रौर वह मल्यवान[े] श्रधिकार वोट देने का ग्रधिकार था । लेकिन इस विधेयक को ला कर ग्रसम के कुछ नागरिकों को ग्राप वोट देने का ग्रधिकार से बंचित कर रहे हैं हैं। जैसा शासका पक्ष की ब्रिगेर से भी कहा गया है 15 श्रगस्त को जो एवार्ड हुआ, जो धमझौता हुआ उसको लाग् करने के लिये यह विश्वेयक लाया जा रहा है। लेकिन ग्रभी सदन के एक सम्मानित सदस्य श्री बाबल रेडी ने अपने भाषण में इस बात की चर्चा की कि कोई ग्रावस्यकता नहीं थी इस विधेयक को लाने के लिये , क्योंकि ग्राज असम में चुनाव हो रहे हैं इसकी तारीख 14 दिसम्बर है। वहां पर जो विधेयक पारित होने जा रहा है इस विधेयक से उसका कोई मतलब नहीं रहेगा । तो मेरी समझ में नहीं आ रहा है कि किस बात से बाध्य होकर सरकार को इस विधेयक को लाना पड़ रहा है? हमारे देश में ग्रासाम का जो सूबा है वहां लाखों ऐसे लोग है जिनमें ग्रन्थलंडयक लोग भी है। उनको बोट देने के अधिकार से वंचित किया जा रहा है। इस देश में दो प्रकार की नागरिकता कायम की जा रही है। एक प्रथम श्रेणी के नागरिक जिनको बोट देने का ग्रधिकार होगा ग्रीर दसरे वे नागरिक जिनको बोट देने के अधिकार से बंचित किया जा रहा है। इसलिये मेरा अनुरोध है कि शासन को प्तः इस पर विचार करना चाहिये। इप विधेयक को लाने की कोई आवश्यकता नहीं है। दूसरी चीज जिसकी तरफ मैं ब्याः आक्षित करना चाहता ह वह यह है कि हमारे भारतवर्षको प्रथम प्रधानमंत्री श्री जवाहरलाल नेहरू वयस्क मनाधिकार

The Citizenship

के बहत बड़े प्रणांसक थे। हमारी एनेक्स। में उनके जीवन के सिल्सिले में एक प्रद र्शनी हुई थी। उसमें उनका एक वाक्य लिखाहमाया कि किसी भी लोकतंत्री देश में धौर विशेषकर भारतवर्ष में जो व्यस्क मताधिकार लोगों को दिया जा रहा है। इस वयस्क मताधिकार से मविष्य में भी किसी कं वंचित नहीं किया जायेगा। ऐसा ग्राश्वासन इस देश के प्रथम प्रधान मंत्री श्री जवाहरलाल नेहरू ने दिया था। म्राजइस विधेयक को लाकर इस कानन को लाकर ग्रीर हमारे नाग-रिकट: ेन्न में संशोधन करके भारत के प्रथम प्रधान मंत्री श्री जवाहरलाल नेहरू ने सारे देश को जो आश्वासन दिया था उस आश्वासनको भंग करने का काम इस सरकार को नहीं करना चाहिए। जो समझौता हुमा है उस समझौते को लाग करने के लिए, में फिर यह दोहराना चाहंगा कि इस को लाने की आवश्यकता नहीं है। इसलिए इन शब्दों के साथ मैं इस विधेयक का विरोध करता हं और ग्रामा करुंगा कि सत्तापक्ष के लोग कभी-कभी विपक्ष को बात मान लिया करें। विपक्ष की जो उचित ग्रौर जायज मांग है उसको मानकर इस विधेयक को वापस लेने की कपा करें।

भी मानन्द प्रकाश गौतमः (उत्तर प्रदेश): माननीय उपसभाष्यक्ष महोदया. मैं इस नागरिकता (संशोधन) विधेयक के समर्थन में खड़ा हुआ हूं। सर्वप्रथम ग्रापने मझे बोलने का जो ग्रवसर दिया है उसके लिए मैं आभार व्यक्त करता हूं। पिछले दिनों ग्रासाम की जो समस्या थी, वहां के नागरिकों को जो परेशानी थी उनसे हमारे सदस्यगण ग्रीर सदन पूरी तरह से अवगत है। इस दिशा में हमारी सरकार का जो प्रयास रहा है वह भी पूरी तरह से उसकी हल करने में रहा है। सरकार आसाम विदेशियों की समस्या के समाधान के लिए काफी समय से प्रयन्न शील थी और [श्री अनिन्द प्रकाश गौतम]

ग्रासाम के छात्र संघ ग्रीर ग्रासाम गण-संग्राम परिषद के लोग भी जो वहां पर इस ग्रान्दोलन को चला रहे थे, इस समस्या के हल के लिए काफी इच्छक थे। आसाम छात्र संघ के द्वारा 2 फरवरी, 1989 को एक मेमोरेन्डम हमारी स्वर्गीय प्रधान मंत्री श्रामती इन्दिरा गांधी जी के समक्ष पेश किया गया था जिसमें आसाम में लगातार विदेशी दवाव के कारण ब्रासाम की राजनीतिक,, सामाजिक, सांस्कृतिक एवं ग्राधिक स्थिति पर विपरीत प्रभाव पहने की आशंका ब्यक्त की गई थी । उसी भागंका को उचित ठहराते हरु स्वर्गीय प्रधान मंत्री श्रीमती इन्दिरा जी ने प्रासाम छात्र संघ ग्रीर ग्रासाम गणसंग्राम परिषद् के लोगों से वातचीत भार की ग्रीर सन 1980 ग्रीर 1983 के मध्य इस संबंध में कई उच्चस्तरीय बार्ताएं हुई । सन् 1984 में भी कुछ अनोपचारिक वार्ताएं हुई और इसी प्रसंग में मार्च, 1985 में ग्रापचारिक वार्ता हई जिसके तहत 15 ग्रगस्त, 1985 को समझौता हमा । उसी संबंध में, उसी समझौते को काननी रूप देने के संबंध में. माननीय मंत्री जी इस विधेयक को सदन के समक लाये हैं। जब हमारी मृतपूर्व प्रधानमंत्रो स्वर्गीय श्रीमती इंदिरा गांधी जीवित भी तो उन्होंने ग्रसम की समस्या को बड़ी गंभीरता से लिया था। दर्भाग्य से आज वह हमारे बीच में नहीं हैं। लेकिन उस चनौती को हमारे स्योग्य युवा प्रधानमंत्री माननीय राजीव गांधी ने भी अपूर्व दृढ़ता ग्रीर साहस के साथ स्वीकार 'कया और शुरु में ही, 5 जनवरी, 1985 को माननीय प्रधानमंत्री जी ने ग्रपने संदेश में कहा था कि ग्रसम के विदेशी नागरिकों की समस्या का समाधान करने के लिये हर सम्भव प्रयास किये जायेंगे 🔻 इस घोषणा के साथ उन्होंने इस सिलसिले में ग्रौर भी तेजी से बातचीत भुरु की ग्रीर बडी गम्भीरता से इस मामले को लेकर अपने प्रयास जारी रखे। मार्च, 1985 को जब ग्रीपचारिक वार्ता हुई तो अपास ग्रीर गण संग्राम परिषद् के सदस्यों के साथ बातचीत के दौरान समझौता हुआ ग्रौर उस समझौते · को ग्रंतिम रूप दिया गया । उस समझोते को ग्रांतिम रूप देने के लिये असम की तत्कालीन समस्याग्री, वैधानिक एवं संवैधानिक प्रावधानों, ग्रन्तर्राष्ट्रीय समस्याग्रों राष्ट्रीय संकल्पों तथा मानवीय श्राधारों को ध्यान में रखते हुए इस समझौते को ग्रंतिम रूप दिया गया । 15 ग्रगस्त, 1985 को लाल किले की ऐतिहासिक प्राचीर से प्रधानमंत्री जी ने इसकी घोषणा की । इस समझीते की घोषणा से सारे देश में एक शांति का वातावरण बन गया ग्रीर सारे देश ने राहत की सांस ली। यह जो ब्राज का विधेयक है यह उसी समझौते का परिणाम है। (समय की घंटी) उस समझीते की बातों को कानूनी रूप देने के लिये, उसको वैज्ञानिक स्वरूप प्रदान करने के उद्देश्य से यह विधेयक म्राज यहां प्रस्तृत है, जिसका में हृदय से समर्थन करता हं। प्रस्तृत विधेयक बड़ा सामधिक है और असम के नागरिकों की हितों की रक्षा की आवश्यकता के अनुरूप भी है जिसके लिये माननीय सुयोग्य राज्य पृह मंत्री को हार्दिक बधाई देना चाहत। है। माननीय प्रधानमंत्री जी ने समझौता करके देश की एकता और अखण्डताको दृढ़ता प्रदान की है जितनी प्रशंसा की जाये वह कम है। (समय की घंटी) सारे देश की जनता ने हृदय से इसकी सराहना की है। विदेशियों के मामलों में समझौते के ग्रन्तर्गत जो बातें तथ हुई उसका दरश्रसल प्रचार एवं प्रसार सही रूप में ग्रौर संभवत: पूरी तरह से नहीं हुआ है जिससे लोग अलग-अलग तरीके से इसको इन्टरप्रेट करते हैं। कुछ लोग कहते हैं कि हमारे देश 🕏 दो तरह की. नागरिकता की गई है। अभी हमारे एक माननीय सदस्य ने यह भी कहा कि यह संविधान के प्रावधानों के विपरीत है, प्रतिकृत है। मैं समझता हं कि संविधान के ग्राटिकल 326 में जो ब्यवस्था है उसके हिसाब से यह जो मताधिकार है वह नागरिकों को दिया जाता है। (समय की घंटी) उसमें स्पष्ट लिखा है ग्रीर जिस प्रकार से संशोधित बिल में व्यवस्था की गई है उसमें स्पष्ट है कि जिन लोगों के लिये मताधिकार नहीं दिया गया है, उन्हें नागरिक नहीं माना गया है बल्कि उनको नागरिक के जितने सिविल राइटस हैं,

जो हमारे देश में नागरिकों को अधिकार नहींने के प्राप्त हैं, उनको उन अधिकारों के उपभोग की परी सविधा दी गई है। उन्हें नागरिकता का कोई प्रमाण पत्न नहीं दिया गया है। उन्हें दूसरी तरह का नागरिक नहीं माना गया है। (समय की घंडी) मैं समझता हूं कि यह बड़ा ही उचित संशोधन है। महोदया ग्राप वार बार घंटी बजा रहे हैं. मैं समझता हं कि समय की कमी है और इसलिए इन गर्दों के साथ में इस बिल का हार्दिक समर्थन ग्रीर स्वागत करता है।

The Citizenship

थीं सैयद शहमद हाशमी (उत्तर प्रदेश): मैडम बाइस चैयरमैन, जिस तरीके से यह पूरा अकार्ड जो गवर्नमेंट ग्राफ इंडिया ग्रीर ग्रास तथा गण संग्राम परिषद के दरम्यान हुआ ग्रीर जिस तरह से बह एक घोखा है एक फाड है, उसी तरीके से यह जो अमेंडमेंट लाया गया है यह भी फाड, धोखा ग्रीर आंखों में धूल झोंकने के लिये हैं। यह को अकार्ड हुआ लेकिन 9 अगस्त को इम्प्रेशन दिया जा रहा है कि यह जो जो इंटरब्यू मिस्टर साइकिया चीफ श्रमेंडमेंट लाया जा रहा है यह श्रमेंडमेंट इसलिए लाया जा रहा है कि जो छवा है मैं थोड़ा सा उस में हिस्सा पढ़ माइनार्टीज है जिनका डिटेक्यन गैर- कर ग्रापको मनाना चाहता है। एक कान्ती कर के जिनको फेंचाइज से महरूम सवाल के जवाब में मिस्टर साइकिया ने किया गया है ग्रीर उनको फ्रेंचाइज का कहा है,--के लोग हो उनके साथ घोखा किया just do not know. ग्रलबन्। आगे जा कर गना है। सन् 1983 के इलैक्शन के के उन्होंने सरेंडर विया है। अन्दर जिस तरीकेसे ब्रह्मपूत्र खून में नहलाया गया, नेली कारनेज का हादसा ग्राज भी दुनियां के ग्रन्दर सब के be binding on us. इल्म में है और हिन्दुस्तान का एक एक बच्चा जानता है लेकिन वावजद खन में

माइनार्टीज ने लिगाबिस्टक म इनार्टीक ने कांग्रेस को इसलिए सपोर्ट किया या कि वह जो शुबह पैदा किया जा रहा है उनकी शहरियत के बारे में वह बाकी नहीं रहेगा ग्रीर यह रुलिंग पार्टी जो अपना वायन कर रही है उसको पुरा करेगी। (व्यवधान)

श्री पशपति नाथ सक्ल : लिगविस्टक माइनार्टीज का क्या मतलब है ?

श्री सैयद शहमद हाशमी : लिगविस्टक माइनार्टीज बंगाली, नेपाली वगैरह हैं। तो ग्राज यह महसूस हो रहा है कि जितना कुछ इम्योरेंस दिया गया था वह सारा का सारा गलत है। उसके अन्दर सब से ग्रहम बात यह है कि जिस जमाने में आसू और गण संग्राम परिषद का परा मबर्मेंट फेल हो चका था साइकिया मिनिस्टी के ग्राने के बाद उस वक्त गवर्नमेंट ग्राफ इंडिया ने अपने को सरेंडर किया है। श्रापका 15 श्रमस्त मिनिस्टर का संडे मैग्जीन के अन्दर

राइट नहीं दिया गया है उनके इंट्रेस्ट Uptil now, we in Assam, my Cong-के ग्रन्दर है हालांकि जो ग्रापका बिल ress, the APCC, the ACLP, and our supoprters. we settle for 1971. Because of this, four Takff's of our people lost तरीके से जिन्न किया गया है, उसके their houses. Even Tn those dark days, अन्दर यह है कि इस अकाई को इफेक्टिव we stood for 1971. Now the worst is बनाने के लिए यह विल लाया गया over; we can go everywhere. Our गया है। तो माइनार्टीज के इंद्रेस्ट के children can go to schools, we can go to temples. We can attend functions and behave normally Because we stood for दूसरो बान यह कि यह सब जानते हैं, 1971, we lost so "many things. Because हमारे बाद दसरे दोस्तों ने भी कहा कि of 1983 elections, we lost 4.000 innocent क्लिंग राष्ट्री ने माहनार्टीज के साथ वह souls. With this feeling and sentiment. नाहे बासाम के लिगविस्टिक माइनाटीज T do not know how the minorities will react if we go to some other daic. T

Whatever the Prime Minister says will

[श्री सैयद ग्रहमद हाशमी]

अगप गौर कीजिए कि खद असाम का चीफ मिनिस्टर यह कह रहा है कि हालत न मेल हो गये ग्रौर जो उनका मुबमेंट है वह खत्म होचुका है, बच्चे स्कूल जा रहे हैं, लोग इवादतगाहों के ग्रन्दर जा रहे हैं। माइनार्टीज को बिट्टे किया गया है, धोखा दिया गया है ग्रौर इसके बाद यह ग्रकार्ड किया गया है। मैं अपपसे एक बात धौर अर्ज करना चाहता हूं। यह मसला नहीं है कि बिटवीन 1966 ग्रीर 1971 में जो लोग आए हैं अब यह अमेंडमेंट के जरिये से यह कहते हैं कि सिर्फ उन से बोटिंग राइट छोन लिया गया है बाकी सारे शहरी हक्क उनको हासिल हैं हम कहते हैं कि यह बिलकुल घोखा है। जिन लोगों का डिटेक्शन हुआ तमाम इलैक्शन कमीशन के ओब्जरबेशन और इल्लीगल इमीग्रेशन एक्ट 1983 के सारे विडिक्ट ग्रीर सारे फैसलों के बावजद श्रापने उसको बावलेट कर के जिस तरीके से डिटेक्शन किया है मैं श्रगर यह पूछूं कि किन लोगों का डिटेक्शन किया गया है, हम समझते हैं कि रूलिंग पार्टी से ग्रगर पूछें कि क्या यह आफ्टर 1971 है, आप कहेंगे नहीं सब नहीं होंगे, विफोर 1971 है, तो ग्राप कहेंगे सब नहीं होंगे। इसका मतलब यह है कि जो डिटेक्शन हुआ है वह बिफोर 1971 और आफ्टर 1971 है, आप कम से कम यह कहेंगे। लेक्निन कौन साट हुआ आफ्टर 71 और बिफोर 71 जिस जमाने में डिटेक्शन हो रहा था। भ्रापने ऐसा काइटरिया, सिटीजन-शिप के सबत के लिये बनाया कि कोई ग्रासाम का शहरी एविडेंस नहीं दे सकता था। ग्रापने एकाध को कहा सिटीजनशिप सर्टिफिकेट लाग्रो, वर्ष सर्टिफिकेट लाग्रो, 71 की वोटर लिस्ट लाग्नों जो गायब करदीगई थी: ग्रगर यही काइ-टेरिया बनाया गया तो उसके बाद इलेक्शन हो जायेगा तो कौन इसको तय करेगा कि कौन शहरी आफ्टर 71 है और कीन विफोर 71 है और मैं समझता है कि जो इन्टेंशन रहा है 'श्रासु का और उसके अन्दर गवर्नमेंट आफ इंडिया इनाल्वड है उसका अटेगम यह है कि इन सबको आपटर

71 टोट किया जाये। मैं घोड़ी देर के लिये मान ने कि आप विकार 71 थोड़े से लोगों को लें भी तो उनमें से बड़ी तादाद को आप इल्लीगल या आपटर 71 ट्रीट करेंगे या उनको कैम्पों में रखेंगे या क्या करेंगे : 15 अगस्त को एकाई का ऐलान होता है और 17 श्रगस्त को "श्रामु" प्रेस कान्फरेंस करती है जो कलकत्ता के "संडे स्टेट्समैन" के अंदर छपा है उसमें "आसू" के लीडरों महत्ता और फोकान ने यह कहा कि गवर्नमेंट भाफ इंडिया के इस एकाई के जिरिये से 2 लाख लोगों का डिटेक्शन करने का उनको फारेनर डिक्लैग्नार करने का ग्रापस में एग्रीफ मेंट हुआ है और इलेक्शन के बाद 20 लाख लोगों को निशालने का एग्रीमेंट हमा हैं। श्राज तवा विासी ने इस स्टेटमेंट को क्लाइक्ट किया हैं ? आज तक किसी ने बन्दाडिक्ट नहीं किया है : ग्रीर छोड दीजिये आपने क्या काइटेरिया अस्तियार किया--13, 14 लाख श्राब्जेक्शन हुये ग्रीर 8--9 लाख क्लेम दाखिल हुथे। मैं करता हं करीब 20--22 लाख तो इनके ग्रंदर ग्रगर ग्राप हर इंडिवीजयल केस की तय करते और 20 लाख मिनट लगा ली-जिये तो एक महीने के अंदर आप तय नहीं कर सकते थे लेकिन भ्रापने तो बिल्कल एकदम एक तरीके से एक ग्रंधे की लाठी से हांशना शरू कर दिया : ग्रापने इल्ली-गल माइग्रेशन एक्ट 1984 के अन्दर यह तय किया था कि वे लोग ग्राब्जेक्शन कर सकते थे किसी की शहारयत के लिये जो विदिन 3 विलोमीटर्स हों. 3 विलीमीटर के रहने वाले हों और उसके ऊपर काउंटर साइन, इविडेंस उस गख्स का होगा, उस इंडिकी ज्ञाल का होगा जो उस पार्ट ग्राफ दा इलेक्टोरल रोल का होगा उसके ग्रलावा किसी दूसरे का राइट नहीं होगा। इसी तरह से 83 के अदर आपके इलेक्शन कमीशन का ग्राब्जरवेशन यह है कि ग्रगर किसी शहस भा नाम इलेक्टोरल लिस्ट के अन्दर है तो सिफं सिम्पुल स्टेटमेंट से इलेक्टोरल रोल से उसका नाम नहीं निकाला जा सकता है, खारिज नहीं किया जा सकता है, उसकी सिटोजनिशिप जो है उस पर शबहा नहीं किया जा सकता है। यह पूरी जिम्मेदारी उस भाव्जेक्टर पर होगी कि वह दस्तावेज सब्त लायें, अरम्यमेंट लाये कि फलां ग्रहर गैर मुल्की है, उसके बगैर ग्राप यह

शब्ल नहीं करेंगे। श्रापने नहा वि ग्राप फार्म 7 के उत्पर दरख्वास्त नहीं लेंगे लेकिन मैं काहना चाहता हं कि इस डिटेक्शन के अंदर जो प्रोसीजर ग्रस्तियार किया गया है उसमें वेपनाही तरीके से, साइक्लोस्टाइल ब:रके सारी चीजें भरकर सिर्फ नाम भरने थे, ग्रीर दाखिल निये गये थे। इसी तरीके से मैं प्रापको बतलाऊं भाएके इसी विल के अन्दर आपने एक तरफ शतं लगायी है कि जो भी डिटेक्ट हरो हैं उनको फारेन रजिस्टर के अन्दर अपने नाम को रजिस्ट है कराना उसके साथ सब सेक्शन 9ए पडेगा । लगाया है और सब सेक्शन 6ए और 6वी के ग्रन्दर ग्रापने जो कहा है वह भी गौर करने की वात है। 6ए के श्रन्दर आपने यह कहा है कि ग्रगर निसी शस्त्र के डिटेक्शन के बाद 60 रोज के अन्दर, अगर वह हिंदुस्तान की सिटीजनिशाप नहीं चाहता है मांगता है तो वह डिटेक्टर कर दे कि हमें सिटी-जनियाप मंजर नहीं है। लेक्नि 6वो के अंदर ग्रापने यह शहा है कि इस बिल के अन्दर कि वे लोग जो कि हिंदस्तान की सिटीजनशिप को वागई नहीं रखना चाहते हैं उनके उतर यह जिम्मेदारी नहीं है कि वे जरूर डिक्लेग्रर क्रोरें या जरूर वे फारेन रजिस्टर में अपना नाम लिखायें। इसका मतलब यह है ग्रासाम ग्रीर नाथं ईस्टर्न रोजन जिसकी पश्चिमदगी जिसके पिछडेपन को जानते हैं, सभी उसकी शिकायतें करते है वहां इनोसेंट लोग बहुत से लोग जो प्रोसीजर नहीं जानते हैं वे प्रथना नाम फारेन रजिस्टर के अन्दर नहीं लिखा सकते है लेखिन इस प्रोजीअन के मताबिक यह होता कि चंकि उहाँने नाम अपना फारेन र्राजस्टर के प्रन्दर दर्ज नहीं कराया है तो ग्राप यह दोट करेंगे कि वे गैर महकी हैं। जाहिर है वि इन्तिहाई डैमेजिंग यह क्लाज है जो इसके अन्दर रखा गया है । इसको कंसीडर करना चाहिये ग्राँर इस 6वी को निकाल देना चाहिये। सिर्फ 6(ए) के अन्दर, अञ्चल तो मैंने कहा कि पुरा रिक्षाई गलत है, यह पूरा अमेंडमेंट जो लाय है इससे कोई एनश्योर नहीं होता है इससे वहां की माइनारिटीज की कोई गारंटी नहीं होती है। बिफोर 21 कितनों को दीट किया जायेगा ? लेकिन यह सैक्शन तो घार हैमेजिंग है, सैक्शन 6 बी

जिसके अन्दरं जो आपने रजिस्टर नहीं कराए वह भी गैर मुल्की है। जोहिर है कि यह चीज बहुत गलत है। मैं फिर एक मतंबा इस बिल के बारे में यह कहना चाहता हूं कि यह एक फरेब है अब तन जितना गारंटी उनको दी गई थी उन सबके खिलाफ गवनंमेंट ने बिट्टें किया है और इस एतबार से मैं यह कहता हूं वि यह भी सफी शिवेंट क्लाज नहीं हैं, उनको प्रोटेंक्ट करने के लिये एक कंग्रीहै सिव बिल लायें। जिससे उनके शहरी हकूक बरकरार रहें। शक्तिया।

[شرى سيد أحمد هاشمي "الر پرديهن'' ... ميدم وائس چيرمهن-جس طریقہ سے په پورا اکارة جو گورنملت أفائذيا اور تسو اور كلسلكرام پریشد کے درمیان ہوا اور جس طر سے وہ ایک دھویا ہے ایک فراق ہے۔ اس طریقه سے یه جو املدمدے لیا کیا ہے وہ یہی فراۃ ہے دھوکا ہے اور آنکھوں میں دعول جھونکلے کیلگے ہے۔ یہ امپریشن دیا جارہا ہے کہ یہ جو املدملت ليا جارها هے يه املدملت اسائے لیا جارہا ہے که جو ماللارتها هیں جلکا ڈٹیکشن فیر فائوئی کرکے جنکو فراچالز سے محصروم کہا کہا ہے اور انکو فرنچائز کا رائٹ نیمن دیا کیا ہے انکے انگریست کے اندر م حالاتكه جو آپكابل هے اسكے اندر اس ہاس کا صاف طریقہ سے ذکر کھا گھا ھے- اسکے اندریہ ھے کہ اس اکارہ کو أفيكتبو بناني كهلثم يديل لايا كها ھے۔ تو ماللارتیز کے انتریست کے اندر یہ بل نہیں لیا کہا ہے۔ دوسری بات یه هے که یه بات سب جانتے هیں همارے بعض دوسرے دوستوں نے بھی کہا ہے یہ رولنک پارٹی نے مالنارٹھز کے ساتھ وہ چاہے آسام کے للگ وسٹک

^{†[[}Transliteration in Arabic Script.

[عربي سيد إحمد عاشمي] مانا ارتهز يے لوگ هوں انکے ساتھ دهری کیا کیا ہے۔ سن ۱۹۸۳ کے الهكشن كے أندر جس طويقه برهمية خون مين نهايا كيا- نهل كاربيم كا حادثه دنها کے اندر سب کے علم میں ھے اور هندستان کا ایک ایک بچه جانتا ہے۔ لیکن باوجرد کون میں ٹھانے کے مائنارتیز نے للکوسٹک سائدارتین نے کانگرنیس کو اس لئے سپورے کہا تھا کہ یہ جو شبہ بیدا کیا جا رہا ہے انگی شہریت کے بارے میں وہ باقی نہیں رہے کا اور یہ رولنک جو اپنا وعدہ کررھی ھے اس کو پورا کویکیمداخلت شری پشپتی داته سکل للكوستك مالفارتين كاكيا مطلب هـ-جناب سيد احدد هاشي للكوستك ماللارتيز بلكالي- نيهالي وغيوة هين- تو أچ يه محسوس هو رها هے که جنتا کچه ایشورنس دیا كيا تها وه ساوا كا سادا غلط هـ-

اسکے اندر سب سے اہم بات یہ کہ چس زبانہ میں آسو اور گستگرام پریشد کا پررا موسیدٹ فیل ہو چکا تھا سائی یا منستری کے آنے کے بعد اسوقت گرزنمنٹ آپ انڈییا نے اپنے کو سرندر کیا ہے۔ آپکا ۱۹ اگست کو اگرق ہوا لیکن چیف منستر کا سندے میگرین کے چیف منستر کا سندے میگرین کے چیف منستر کا سندے میگرین کے سے حصم پرعکر آپکو سنانا چاھتا میں سے حصم پرعکر آپکو سنانا چاھتا میں سے مستر سائیکیا نے کہا ہے]

Uptil *now*. we in Assam, my Congress, the APCC. the ACLP, and our supporters, we settle for 1971. Because of this, four lakhs of our people lost

their houses. Even in these dark, days, we stood for 1971. Now the worst is over we can go everywhere. Our children can go to schools, we can go to temples. We can attend functions and behave normally. Because we stood for 1971, we lost so many things. Because of 1983 elections, we lost 4000innocent-cent souls. With this feeling and sentiment, [do not know how the minorities will react if we go to some other date. I just do not know.

المقدة آئے جاکو کے انہوں نے سریند، کہا ہے -

Whatever the Prime Minister says will be binding on us.

آپ غور کیجمئے که خود أسام کا چیف منسٹر یہ کہتے وہا ہے که حالات نارما هو گئے اور جو انکا موومنت في ولا خدم هو چکا في بحد اسكول جا رهے هموں - لوك عمادت ڈھوں کے اندر جا رہے ھیں - مائذارٹیز کو باٹنے کیا کیا ہے دعویٰ دیا گیا هے اور اسکم بعد یہ اکارت کیا گیا ہے۔ مھی آپ سے ایک بات اور عرض کرنا چاهتا هون - يه مسئله نهين ه که بعوین ۱۹۷۱ اور ۱۹۷۱ میں جو لوک آئے ھیں اب یہ امتدمدت کے فریعہ ہے یہ کہتے بھیں کہ صرف اس ووقفک رانت جهید لیا کیا ه باقی سارے شہری حقوق انکو حاصل هیں هم کہتے عیں که یه بالكل دهوكم هـ - جن لوكون ذَتَّيْكُسُن هوا تمام اليكشن كميشر ك أبزرويشن اور اليكل اميكريشن ايكث ۱۹۸۲ کے سازے وردکے اور سازے فیصلوں کے باوجود آپ نے احکو والليث كركے جسطريقه سے دائيكشون کها هے مدبر اگر یه پوچهوں که کور لوگوں کا ذاتیکھن کیا کیا ہے۔ هم ستجهتے هیں که رولفگ چارتی سے اكو يوجههن كه كها يه ألكر ١٩٧١

ہے آپ کہینگے نہیں سب نہیں هونگه - بغور ۱۹۷۱ هیں - تو آپ كهردفك سب نهدر هرنگے - اسكا مطلب يه هے که جو دائيکشن هوا هے ولا يغور ١٩٧١ أور ١٩٧١ هـ - آب کے سے کہ یہ کہمنگے -

ليكون كوريسا وق عوا أفتو الا اور بغور ۷۱ - جس زمانه میں ذَذَ عَشر مِن رها تها آب نے ایا کوائٹییویا - سٹیوں شب کے ثموت کیلئے بنایا کہ کوئی آسام کا شہری ایویڈنس نہیں دے کتا تبا ۔ آیے ایک آهم کو کها ساین شپ سوليفكت الو - برقه سوليفكت الوب ٧١ كي روثر لسك الوجو فائب كودي كأي - اكريه كوائتهرياء بذايا كيا تو اسكي بعد جب اليكشي ھو جائيما تو كون اسكو طے كرے كا که کوں شہری آنڈر ۷۱ ھے اور کون بفور الا في أور مين سمنجها هون که جو انتیاشی رها هے آ۔و کا اور اسكے اندر گورنمات آف اندیا انوالود هے اسکا انتہاشوں ہے ہے کہ ان سب کو افار ۱۷ تر ق کیا جائے - میں تھوڑی دیر کیائے مان لوں کہ آپ يفور ٧١ تهورت سے لوگوں کو لین بھی تو انمیں سے ہتی۔ تعداد کو آپ الهكل يا انتر ١١ تربت كرينكي يا انکو کھیپوں میں رکھیلگے یا کیا كرينكے - 10 اكست كو المرة كا اعلان هوتا هے اور ۱۷ اگست کو (آسو) پريس کانفرنس کرتي هے جو کلکته کے ۔ندے اسٹیٹمنٹس کے اندر چھپا ھے اسمیں (اُسو) کے لیدروں مہنتا اور پھوکن نے یہ کہا کہ گورتمنت آف اندیا کے اس اکارہ کے ذریعہ سے ۲ لاکه لوگوں کا قایلهکشن کرنے کا انکو فورنر قائم کونے کا آپس مهن 1444 RS-12.

اگري، ذات هوا هے - اور اليكشن كے بعد ۲۰ لاکھ لوگوں کو نکالئے کا اگویمذے هوا هے - آحدک کس نے اس استیتمدت کو کنترادکت کیا ہے آجتک کسی نے کلٹراؤکٹ نہیں کیا ھے - اور چھور دیجئے آپ نے کیا كوائتيريا اختيار كيا هـ - ١١/١٣ لانه آبحجيكشون هوئے اور آڻه نو الكه كليم داخل هول - مين كهنا هور قريب ++ بائيس لاكه تو انكر اندر اگر آپ هر انڌيويجول کيس کو طے كرتے اور ۱۰ الكه سنت لكا ليجئے تو ایک مہینے کے اندر آپ طے نہیں کو سکتے تھے - لیکن آپ نے تو بالكل ايكدم ايك طريقه سرايك اندھے کی اللہی ہے ،انکفا شروع کر دیا - آپ نے الهکل مائیگویشن ایکت ۱۹۸۳ کے اندر یہ طے کیا تھا که ولا لوگ آبجیکشن کو سکتے تھے کسی کی شہیت کینئے جو تھن کلومی اور اندر هوں۔ ۳ کلو میٹر کے رهائم والح هول أور أسكم أوير كاؤنثر سائن ايويدنس اس شخص كا هوكا ـ اس انڌيويحول کا هوٽا جو اس يارت أف دى الكاروبا رول كا هوا-أسكے علاوہ كسى دوسوے كا وائث پھن ھوگا - اسی طوح سے ۸۳ کے أندر آبكے الهكشن كمهشن كا أبزرويشن یہ دیے کہ اگر کسی شخص کا نام الهكترورل لست كے اندر هے تو صرف سميل استهتمنت سي الهكترورل رول ے اسکا نام نہیں نکالا جا سکتا ہے ۔ خارج نهوں کیا جا سکتا ہے۔ اسکی ستهزن شب جو هے اسپو شبه نهيو کیا جا سکتا ہے ۔ یہ پوری ذمهداری اس آبجیکٹر پر ھوئی کہ وہ دستاویزی ثبوت اللے - آرگومینٹس لئے کہ فال شخص غیر ملکی ہے ـ

[شرى سيد احمد هاشم]

اسکے بغیر آپ یہ قبول نہیں کرینگے۔ آپ نے کہا کہ آپ فارم سات کے اوبر درخواست نهیں لینگے لیکن میں کیلا چاهتا هور که اس داتیکشی کے اندر جو پروسیجر اختیار - کیا گیا ھے اسمیں نے پناہ طریقہ سے سائیکلو استائیل کرکے شاری چیویں یؤر کر صرف نام بهرنے تھے اور داخل کئے كُلَّتِ تهي - اسي طريقه سے ميں أيكو بتلاؤں آپکے اسی بل کے اندر آپ نے ایک طرف شرط لکائی ہے کہ ، و بھی ذاليكم هوئے ههي انكو فارن رجستر کے اندر ایے نام کو رجستارة کرانا يوء كا - اسكم ساته سب سيكشن 9 اے لگایا ہے اور سب سیکھوں چے لے اور چے بی کے اندر آپ نے جو کہا ہے وہ بھی غور کرنے کی بات ھے - چھے اے کے الدر آپ نے یہ کہا ھے کہ اگر کسی شخص کے ڈٹیکشی کے بعد ۱۰ روز کے اندر اگر وہ هندوستان کی ستیزنشپ نهین چاهنا هے مانکتا هے تر ۱۶ دکلیو کر دے کہ ھمیں سٹیزن شپ منظور نہبو ہے - لیکن جوے بی کے اندو آپ نے یہ کہا ہے اس بل کے اندر که ولا لوگ جو بھی هادوستان کی ستهزي شپ کو واقعی نهيس رکهنا چاھتے ھیں انکے اوپر یہ ذمہ داری نهیں ہے کہ وہ ضرور ڈکلیو کریں یا ضرور ولا قارن رجساتر ميس اينا نام لكهوائيس - اسكا مطلب يه هم آسام اور نارته ایستارن ریجون جسکی پسماندگی پیچھوے ہن کو آپ جائتے ھیں - سبھی اسکی شکایت کرتے ھیں وہاں انوسمیات اوا بہت سے لوگ جو پروسیجر نهیں جانتے هیں سکتے هیں لیکن اس پروویوں کے مطابق یہ هوگا کہ کیونکہ انہوں نے اپنا نام فارن رجستر کے اندر درج نہیں گریائے کہ وہ فیر ملکی هیں - طاهر هے کہ انتہائی قیمیدجنگ یہ کلاز هے جو اسکے اندر رکا گیا هے - اسکو خدسیدر کرنا جاھئے - اور اس چھے کو نکل دینا چاھئے - اور اس چھے کو نکل دینا چاھئے -

صرف چھے اے کے اندر لوگ تو میں نے کہا کہ پورا ریکارڈ فلط ہے -ية يووا استدسيات جو الله هين اس سے کوئے اندور نہیں ہوتا - اس سے وهاں کی ماثنارتیز کی کوئی گارنٹی نہیں ہوتے ہے ۔ بغور ۷۱ کلاوں کو تربيت كبا جائياً - ليكن يا، سيكشي تو او دیمیجاگ فے - سیکشی چھ بي جسكم اندر جو انه أيكو رجسار نہیں کوائے وہ بھی فیر ملکی ہے -ظاهر هے که يه چيز بهت فاط هے -میں پنہ ایک ساتیہ اس بل کے بارکے میں یہ کبنا چاھتا ھوں کہ ية ايك محظ دهويًا هي - فريب هـ-اب تک جعلی کارنای انکو دی کلی تهیں ان سب کے خلاف گورنمذے نے بھترے کیا ہے اور جس اعتبار سے میں به کیتا هیں که یه بهی سفیشهات کاز امیں ہے - انکو پروٹیکٹ کونے كيلئے ايك كمپرى هينسيو بل الين جس سے انکے شہری حقوق برقوار [- az, ca - , yea,

SHRI RAMESHWAR THAKUR (Bihar): Madam Vice-Chairman, f riie to the Citizenship (Amendment) support Bill, 1985, as passed by the Lok Sabha. This is a very short and simple Bill. This Bill aims at amending the Citizenship Act of 1955, for the purpose of giving effect to certain provisions of the Memorandum of Settlement relating to the foreigners' issue in Assam, called he Assam Accord.

The Bill in the <u>main.fi</u> proposes a new section, section 6A, after section 6 of the Citizenship Act. 1955.

Clause 1 of the proposed new section deal_s with defhriitons. Clause 2 deals with one important aspect that all pel of Indian origin who came before the 1st day of January. 1966, and who have been ordinarily resident in Assam since the dates of their entry into Assam shall he deemed to be Citizens" of India, as from the 1st day of Janua'ry, 1966. This settles the issue about the persons who came to India from the days of partition up o 1st day of January, 1966. They are clearly declared as citizens of India. Clause 3 deals with these persons of Indian origin who came to Assam on or after the 1st day of January, 1966, but before the 25th day of March, 1971, from the specified territory, have, since the date of their entry into Assam, been ordinarily resident in Assam and who have been detected to be foreigners; it says that shall they register themselves in accordance with the rules made by the Central Government. Clause 4 days that a person registered under sub-section (3) shall have, as from the date on which he has been detected to be a foreigner and till the expiry of a period o'f ten years from 1hat date, the same rights and obligations as a citizen of India including the right to obtain a passport under the Passports Act, 1967, and the obligations connected therewith, but shall not be entitled to have his name included in any electoral roll. This is the main operative clause which deals with two aspects. One, it ensures that persons whose names will be detected will mot be entitled to vote for ten years, but will be entitled to all the rights as citizens of India including the right of owning property, right of employment, right to obtain a passport, foreign visits and so on. This is an important clause. There was a certain degree of ambiguity about this clause and people were, to some extent, agitated! Clause 5 is very anoortant because it sets at rest all doubts and says that a person, registered under sub-section (3) shall be deemel to be a citizen of India for all purposes as from the date of expiry of S period of ten years from the datg on which he has

j been detected ^{to} be a foFeigner. It means that after the expiry of ten years, ha becomes a full-fledged Tndian citizen under this amendment Bill itself and he is not required to take any further action. The Act is very clear. Sub-clause (8) is more important. It says that the provisions of this section shall have effect notwithstanding anything contained in any other law for fhe time being in force. This is important because some friends asked whether it will affect the other laws also. Tt is not going to affect other laws. This law becomes the final law.

One of our friends, Mr. Jaswant Singh, has asked whether there will be two classes of citizenship. I am afraid, this law is very clear. Article 11 of the Constitution clearly provides as under:

"Nothing in the foregoing provisions of this Part shall derogate from the power of Parliament to make any provision with respect to the acquisition and termination of citizenship and ali other matters relating to citizenship."

Therefore, the right of Parliament to pass this amending Bill is in conformity with the provisions of the Constitution of India anj it properly gives the right to (he minorities, particularly, to be dealt with as citizens of India for both purposes, i.e. before the period of 10 years and after the period of 10 years. Therefore, this criticism is uncalled for and at least legally it is not tenable.

As we are aware, the Memorandum of Settlement had been reached after long negotiations between the Government amd AASU on the issue of Assam and it was finally signed in the early hours of August, 1985. Our.dynamic Prime Minister Shri Rajiv Gandhi's announcement of the settlement in his Independence Day address to the nation from the Red Fort was happily received by the entire na-The Prime Minister had said that with the sighing of this agreement another element of tension would be revoked and: the country would be able to devote its attention to development. Tt is a matter, of great satisfaction and outstanding 'vchievement that the Accord represents fulfilment of the assurance given by the Prime Minister early this year in HH

Shri Rameshwar Thakur] broadcast to the nation soon after his formation of the new Government on receipt of the massive mandate from the peopl.:.

Ihe Citizenship

The Memorandum of Settlement has been drawn keeping in view all aspects of the problems in Assam, including constitutional and' legal provisions, international agreements, national commitments and humanitarian considerations. However, it will be appreciated that with the best of intentions sometimes in many documents and enactments some ambiguity is left. This amendment in turn attempts to implement certain provisions of the Accord. The Assam Accord is divided in four-The first one deal_s. with the foreparts. igners issue. The second one is safeguards and economic development. ted part relates to other issues including steps against future infiltration. And the fourth part is restoration of normalcy. Thia amending Bill refers to the foreigners issue only. If we see item 3 of the Assam Accord, it says that the foreigners who came to Assam after 1-1-1966 and up to 24th March, 1971 shall be detected in accordance with the provisions of the Foreigners Act 1946 and the Foreigners (Tribunals) Order 1964. Item 6 of the Assam Accord states that on the expiry of a period of ten years following the date of detection, the names of all such persons which have been deleted from the electoral rolls shall be restored. The above provisions are silent about the status ot' those who are detected during the period of ten years and when they will be defranchised. Natural justice, logical terpretations and spirit of the Accord implies that those minorities, Hindus and Muslims, who will be detected and de-(ranchised for ten "years from the date of detection, shall have all other rights of a citizen including the rights of owing property, job, passport etc. The Citizenship (Amendment) Bill meets the situation, remove_s all doubt_s and gives protection to the concerned minorities of Assam. Some criticism ha? been made-maybe on account of lack of proper understanding or due to apprehension and sectional approach to the major issue dealt -*ith in Assam Accord. I would certainly urge all Members of the House from either tide theit on such a sensitive issue, where

rights and lives of millions of people arc involved, we should not see it from s political angle. The Accord had been accepted and welcomed by all leader, of political "parties when it was announced. Even the common people "of Assam in general have accepted the Accord and ali over the world there has been appreciation, apart from the national appreciation in this regard.

We have to see another aspect. Assami i_s the heart of India's North-Eastern region. It covers a large territory of about 78,423 square kilometers. The State lives primarily in villeges. 91 per cent of the people live in villages, of which there are about 21,995, and also in about'77 towns. The people in rural area $_s$ in many circumstance's are not able to know exactly the implications of the law but certainly they have j_n general welcome! the Accordion Assam.

Assam is an ancient land. It has been a place where people from different parts of tie country have come in the past to ft has a very chequered hislive there. tory fight from the days of establishment by Narkasura of Pragjyotishpur. From those days, if you take the later part of the seventh century when King Bhaskarabharan had established his glory when 9 homes came in 1223, Assam had a glorious history particularly when Rudra Simha was the Emperor who was called the Shivaji of the East. From those days until the British took it away, we see in the entire freedom struggle Assam was one of the forerunner State which occupied an important place in the freedom movement and contributed to the national throughout this period movement peacefully. Even during this agitation period, you will appreciate the people of Assam have been peace-loving, herring the period of the last elections in Throughout this period the peopie have been .peaceful. There has been communal harmony in Assam all through. For hundreds of years people from different parts of India lived like a family in Assam. From different have been States people coming in and living there for large numbers centuries. There has been no such

problem, The agitation started, as we are all aware, because after the ^partition of the country and after the liberation oj East Bengal as Bangladesh, unfortunately, there has been influx, . as mentioned by other Members, in large numbers. That created the starting point for agitation. In 1378 we had the agitation of AASU. All the details need not be mentioned. And efforts were made by the leaders right from .the beginning of this period, and particularly in 1980 by o,ur late Prime Minister, Mrs. Indira Gandhi, as has been mentioned by one Member from the other side also.

Ihe Citizenship

Immediately after taking over the Government in early 1980, in April 1980 she had been to Gauhati) herself and made a public announcement that 1971 should be the base year to start with and we could proceed with negotiations. At that time this was not accepted but after that we know the views of all the political parties, we know the view* of the people of Assam. To say that even in spite of the fact—it is a fact—that ' AASU was not as active as it was in the earlier period, it was very active is not correct. We know and all people in the House know that the people of Assam wanted a lasting solution. This is the Accord on Assam which was a bold and pragmatic step taken Prime Minister. by the I must say that leaders of the eastern division of Assam :>.!so cooperate,; and other persons also cooperated in arriving at the Accord. To say that the Accord is a fraud is, I think, closing one's eyes to history. 4 think it is very unfair to say that it is against the interests of the minorities and against the interests of the people of Assam. This Accord has been hailed from village to village. There were certain apprehensions and these apprehensions have been met by this Bill and. therefore, we should appreciate it. While making speeches, I very humbly submit to very senior Members of the House, we should not say things which injure the feelings of the people of Assam. At this time when normalcy has been brought to the Accord, when in Assam through the process of normalcy particularly

we want to hold the election, at this stage we should not say anything which is not in the interests r/ the general public of Assam. Certainly, sectional interests are important and their interests have got to be protected—and it is for that that this Bill has been brought here. If some improvements ,in the Bill are suggested, one can appreciate it. But to say that everything is a fraud is a type of assessment which, I do not think, any senior Mem-. ber of the House should make. It is in the interests of the country.

One last point I would like to say. Even during this period, as I have said, the people of Assam have cooperated and have been peaceful. Even during this period of agitation from 1980 to 198a and from 1983 to 1985, particularly when the Congress Government has been there, a lot of development work has been done. People had participated in it. In fact, in certain areas of rural development, certain areas of electrification, certain areas of drinking water and in the matter of the 20point programme, there has been more development in this period than during the earlier period. Now we have got the 7th Plan where we should try, apart from this •lection, and see that Assam develops. Assam has a very big task in the 7th Five-Year Plan. The total allocation of outlay from the First Plan to the Sixth Plan was of the order of Rs. 1,823 crores. 'Now they are going to have an outlay of Rs.. 2,100 crores during the 7th Plan alone. There is a challenging period coming in the development of Assam, and every citizen of India should cooperate and ensure that this development takes place^and all sections of the people of Assam are benefited by it.

Now we find that today the major issues before the people of Assam are national unity and integrity and faithful implementation of the Assam Accord which inter alia provides for preservation and promotion of cultural, social and linguistic identity and heritage of the Assamese people. It provides for the protection of the legitimate interests of the minorities and other ethnic groups of Assam—which

[Shri Rameshwar Thakur]

is further strengthened by the Citizenship Bill. It provides for all-round development of the people ot Assam. The Prime Minister, Shri Rajiv Gandhi, in his Address to the Nation on the 15th August, in Parliament later on and also while addressing the people of Assam on 25th of November, 1985 at Gauhati, has assured faithful implementation of all aspects of the Assam Accord by the Congress Government at the State as well as the Central level. He has personally assured the people of Assam, of their all round well-being and faster development of their economy during the 7th Plan. I am confident that all sections of the House will be interested in thf; development of Assam, peace and prosperity oi Assam. If there is any deficiency, the real deficiency is in regard to implementation. It is the commitment of the Government, it is the commitment of the party in their manifesto, it it the commitment of the people from their side also. The Assam Accord has to be faithfully implemented. Thir, is the main issue and I think any good suggestion, any good assurance is most welcome. It is not a question just between the Government and the people of Assam. It is for the people of India and it ig our commitment and our responsibility to ensure that faithful implementation of the Assam Accord takes place when there will be peace and progress for all sections of the people in Assam. Thank you, Madam.

Prof. C. LAKSHMANNA l Andhra Pradesh). Madam Vice-Chairman, a_s you are aware and the country is also aware, our party was one of the parties which (hailed the Assam Accord because it represented simultaneously the triumph and urge of the people for unity and integrity of the country and also the triumph of the people of Assam for their legitimate fight to uphold the rights of the people of Assam for all-round development of Assam.

Having hailed the Assam Accord, our party also stood for the legitimate protection of the rights of minoriities who should b» made to feel that they are an

integral part of the main stream of the country. Therefore, ou,- party appreciates, welcomes any move by which the n*inoriUea, not only of Assam but anywhere in ihe country, get their legitimate due so that they can feel one with the nation. Telugu I^esam Party, it is well known, is also standing for realisation of all the assurances given to the people of Assam through the Assam Accord. Telugu Desam Party stands for value-K«d politics, stands for clean politics.

TiLveussiOn nor concluded

But it becomes unhappy wb\$a there is a departure from value-based pol to opportunitistic politics. Th.- present Bill which is before us for discussion, is one such typical example of opportunistic politics in the country. I say it it »j>portunistic politics because variou* clauses of the Accord which needed Attention have not been attended to whereas a clause like' this is being imme&itely attended to because the party in power feels that by this Bill, when it becomes an Act, it can attract the attention of ftp minorities in such a way as to offse:, what it feared, an erosion into its stronghold »n Assam

I would like to draw the attendtion of the Minister to a few clause* af the Accord which need immediate attention for not merely the well-being of the people of Assam but for the .^jsuttty as a whole. I would like to draw this attention to clause 9. It says:

"We have to take all steps by having fencing etc. at the international border to prevent further infill: in the future."

The Minister in written answe,- to one of Ihe questions states:

"Steps are being taken to take up construction of barbed-wire fencing, lateral road and allied measures to strengthen vigilance on the border at the earliest."

T would like to draw the attention of this House that as early as the monsoon session of 1984 in reply to a question which wa_s asked $_{on}$ something else, the then Home Minister assured the House:

"As soon as the monsoon is over, construction of the barbed wire and the tower, will be taken up so as to ensure the security of this country,"

After a year-and-a-half the Minister of Home Affairs today says in a written neply that steps are being taken to implement this earliest. I would like to ask: If the construction of the barbed wire and towers to see to the protection of this country are not having the same attention and same urgency, what is it that makes that party to think about this particular Bill with reference to clauses 5.4 and 5.6? This is my first question. Secondly, clause 8 of the accord says:

"Constitutional, legislative and administrative safeguards, as may be appropriate, shall be provided to protect, preserve and promote the cultural, social, linguistic identity and heritage of the Assamese people."

This is the accord. The Minister in the same written reply states that no suggestions are pending with the Central Goverament. I would only like to draw the attention of the House and the Government to one fact that when a similar accord was reached in the case of Punjab the Government thought it fit-for which I congratulate them-to announce certain measures immediately as the acceptance of Thien dam, a coach factory and a regional cultural centre in Punjab. I congratulate them for acceptance those demands. We are happy about it. But when it comes to the question of Assam, the Central Government says that no suggestion of Assam, the the Central Government. Where should they come from? Is it not the responsibility of the Union Government to think about such measures by which the aspirations of the people of Assam could be fulfilled by establishing such things, especially the setting up of a regional cultoral centre would give them a sease of cultural identity as part of this great na-

[The Doputy Chairman in the Chair]

There are many things that I want to mention, but due to lack of time, I would not touch them. To establish an oil refinery in Assam, whether the Government will render all possible assistance in terms of institutional and bank finance

in the private sector? This is the question raised in the Parliament. The answer given by the Ministry of Petroleum says that they are seized of this matter. We know what is meant by 'seized of the matter'. It is years, accades, sometimes more than that may also happen. Therefore, what is the concrete step taken by the Government in six months period to assuage the feelings of the people of Assam? When this Union Government means 'business', whether they are safeguarding interests of Assamese people? It is not so.

I will mention another quetion which was raised in Parliament. Whether the Central Government will render full assistance to the State Government in their efforts to reopening of Ashok Paper Mill and Jute Mill? The answer given by the Minister was that the consultations are going on between the State and the Central Government and the financial institutions regarding the reopening of Ashok Paper Mill and Cooperative Jute Mill at Silighat. I want to ask, is it the way in which the urgency of the problem felt by the Union Government? The Government which felt it so necesthis sary to rush through particular Bill is not paying the same attention to other suggestions. The Government did not realise the importance of this Bill when the Assam accord was signed. There was at least two weeks period subsequent to the signing of the Assam accord when this Bill could have been brought forward in Parliament. No. At that time it was not felt so urgent because the election dates were not yet announced. But as soon as the dates for the elections were announced, the Government thought it fit to rush through the Bill of this nature.

Finally. I want to draw the attention of the Minister to one more item, that an I.I.T. will be set up in Assam. When a question was raised, what was the answer given. The Minister said that the Ministry of Education are seized of this matter. What is so difficult in announcing that an IIT will be established and a committee would be appointed to go into the location and other aspects of the matter there. No. But it will be seized

-Piof. Lakshmanna] by the Union Education Ministry. when it comes to question of other things, it will not be hesitant to have a Bill like this. Therefore, in view of the facts which I have mentioned, I still accuse the Government of making a departure from 'valued based politics' to 'opportunistic politics' to a this whether the Election Commission has paid any attention, after having announced the election Therefore, we are not opposed to date? a Bill like this. But taking advantage of this situation, I would like to press and impress upon the Union Governmen[^] the urgency about other aspects as well which are being kept over. If they sleep over those matters, I assure the Government that they will be sadly mistaken. will not be doing justice either to the country as a whole or to the people of Assam. Therefore, a_s you have shown so much of urgency in bringing forward this particular Bill. urge upon the Union Government to show the same urgency in dealing with other aspects which go to make an assurance to people of Assam for their orderly development in terms of culture, in term,, of economic development and in term,- of technological progress. I do not want to go into other details about the plan outlay etc. However, it is only an eyewash but nonetheless, I would like to take once more an opportunity to impress upon the Union Government to give up the opportunistic policy. Don't accuse simply the Opposition parties that ihey/ are not supporting you. Even when the Opposition parties support you. you don't depend upon that support. You do not take them into confidence. You do not take the people into confidence when the people have reposed confidence in you and I think, this is the biggest tragedy for any country that in large numbers, confidence in you people have reposed but you have not taken them into confidence. Therefore, I would request to kindly take up several aspects of the Accord with the same seriousness, per-' ifiaps, which you have informed of it for this particular Bill and see that the Accord really brings forth that feeling in Assamese people that they are integral

part of this country and that all the coun-

try as a whole can progress together. Thank you.

SHRI BIR BHADRA SINGH (Uttar Pradesh): Madam Deputy Chairman, I rise to support this Bill and I find, in this House that everybody, except for one dissenting voice has supported the Accord. The Bill is also supported by and large excepting one portion of the Bill to which various criticisms have been advanced but I feel, (hat some are almost based on misapprehension and some are grounded upon unsound legal presumptions. It is a well known fact that Articles 5 to 9 of the Indian Constitution lay down as to who happens to be citizen of this country at the time of commencement of this Constitution, and Article 10 of the the Indian Constitution provides for continuance of citizenship. Article 11 of the Constitution, I am thankful to Shri P. Babul Reddy, who has gone into the very bottom of the argument of Professor Jaswant Singh that it is violative of Article .11, 14, 19 and 29(1) because if by Arti^ de 11, the Parliament is comptent to legislate a law in regard . to both the questions of commencement or termination of citizenship, then I think, there was mot much force in the argument of Shri Jaswant Singh. The question is about the termination of citizenship of certain people whose names had been entered in the electoral roll of Assam. Now the argument which is sought to have been built up is this since their names were found in the electoral rolls, since they have voted in the previous election, therefore, they have been illegally debarred from their voting right.' Their argument is that, the termination of voting right is wrong. If it is in parliament's power to disqualify them under the Constitutional provision, the parliament can validate them also. Then where is the foundation for that argument? If that is so, the« may T, with all respect, say, simply because somebody's name is in the electoral roll of the country by mistake omission, he does not become a citizen because it is not the only prerequisite of the citizenship that one simply gels name entered in the electoral roll become a citizen and this is how, probably, it has been explained in that controvertial part of the Bill which is being debated upon.

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Otherwise there is a general agreement 011 the present amendment Bill, which I support.

The Constitution came into force from 1950 and articles 5 to 9 have laid, down the conditions for citizenship. But sinc_e other situations were not contemplated at that time therefore, in 195? the Citizenship Act was brought. But the 1955 Act never contemplated certain Other situations. This has been an unprecedented situation. It was never contemplated that a day would come when a neighbouring country of ours, which was bifurcated from us, would be bifurcating itself so soon and one portion of it would become independent and that by force of circumstances, people from that country would come to our country in such a large number. This unprecedented situation was not contemplated by the 1955 Act. Therefore, this present amendment is trying solve that situation and Parliament is competent under article 11 to enact this kind of a legislation. Therefore, I submit, with all humble respect, that all these arguments are contradictory arguments. Some say that we want to rive the minorities. Some say that we want to bargain with the minorities. They say that the bargain is like this: "your right is suspended only for ten years; if you behave properly, you will get citizenship; otherwise you will lose it." Neither argument is correct argument. This is our modus since our new leadership ndi: taken over, as soon as we reached an agreement or accord or solved the problem, 'we want to expedite all the aspects of the accord. There is basically nothing wrong nor anything legally wrong with it. An argument was built up as to why this Bill has been hurriedly brought when there are other very important things. There may he other very important matters. We will come to them. The western border was burning; we have tried to quench the fire. Now we want to make the eastern border peaceful. We want to satisfy the people of Assam. We do not want to throw anybody out of the country.

After ali, can you imagine a situatio* when such a large population has migrated from one country to another. creating all sorts of problems? Do you think people who have come from East Pakistan to Assam w ill not be creating problems? They must be creating a lot of problems. All sorts cf problems are there. But we do not want to throw out anybody. This is the land of Buddha and Mahatma Gandhi. We have not thrown out even those who came with naked swords to this country, those who killed thousands of people of our country. Those who went back have gone back, but those who settled in this land were welcomed. People from East Pakistan have come here. We have welcomed them. We love them. But we will e»sure • whether they have come with genuine intentions to stay in country and they will be good citizens. Let them register themselves. Let them get their claim decided. For ten years their voting right will suspended, but after ten years we will confer full citizenship on them. Do you think we do not have a right to scrutinise the bona fides of these people? We have a right to scrutinise tesee whether they have come here with genuine intentions to settle in country. But we have never intended to throw them out. We have welcomed them. We have given them all other rights. Of course, Mr. Babul mentioned that article 15 gives certain rights to citizens only. Let then become perfect citizens to get all the rights. After all, domicile is a pre-requisite if you want to become a citizen of another country. Let them settle. The period is only ten years. It is not too long for anybody who comes from one country to another and wants to settle down there. We have evolve* a machinery and the machinery will scrutinise. So I think the controversy that has been raised about the period from 1966 to 1971 is an unfounded controversy based on misapprehensions. Our intentions are quite clear. we do not want to deprive anybody of his right. We give the minorities, the linguistic minorities, everybody, their due rights. But a nation must be given

prof. C. I Lakhhmanna

time to scrutinise the true intentions of those people who came into it, whether they are fide", whether they want to live peacefully in this country and for that only this period of 10 years has been stipulated. With these words I support this Bill.

SHRI S. W. DHABE (Maharashtra): Madam Deputy Chairman, I shall be very brief. When the announcement on the Assam Accord was made in this House we all said that the problem should be solved in a satisfactory way. Some portions of the Accord were opposed, particularly this clause on 1966 to 1971. This has no logic nor has it any relevance. There are other important matters which have been referred to by my friend, Prof. Lakshmanna, about economic development, international border, prevention of entry of foreigners into Assam, about which Government is doing nothing. And this Bill has been brought when Assam elections have already been notified. If it is done by the State Government, then it becomes a breach of the code of conduct of fair and free elections. It is said that even when a statement is issued in the press when elections are going to be held, then the code of conduct is deemed to have been breached, according to the code of conduct issued by the Election Commission. And Parliament cannot claim any privilege or immunity not available to State Governments. There is a prohibition on opening of new colleges, even on announcing instalments of dearness allowance because it will directly have its impact on the election prospects. Therefore, when the election process has already started it is very unfortunate that you have chosen this time to bring forward this Bill hecause this may be interpreted as being aimed at winning more votes, that this has been done after some Minister visited Assam and made a renort about the feelings of minorities asainst the Coneress-T. Then, as my friend, Mr. Babul Reddy, pointed out, -io you mean by "ten years from the date on which he has been

detected to be a foreigner"? in sub-Clause (5) on page 3 it is state--

"A person registered under subsection (3) shall be deemed to be a citizen of India for all purpose- us from the date of expiry of a period of ten years from the dale on which be has been detected to be a foreigner."

Suppose you take 15 years or 20 years or 30 years for detection purposes, the person shall not be eligitete to vote for ten years after, the <j Is that so? It means not from just it can go to 1990. Therefore, there is a big lacuna. I hope the Minister seriously considers this aspect. Unfortunately the wording of this clause 13 not happily or properly set.

Secondly, this Bill is not It is against the international c /'uitment given to the people who :une from Bangladesh, that the people coming here will have the right ol' ship. But, in this context, I ;»ould like to say that this is something- most surprising because it is for the first time that this is happening in our country that the citizens' right. been taken away and they are disfranchised and this is a new category of-people who will be there in the country now and this is something unknown in the past. The citizens have no rights and no vote! In that case, what will happen to the Fundamental Rights guaranteed in our Constitution, particularly in article 19? This is what I would like to know from the ter. I would like to know whether the citizen has still the right to more the High Court and the Supreme Curt or whether he will have no right at all because he is not a citizen at all. Only citizens can move the Courts. But here you have citizens who are having no I voting rights. This is a new phenomenon which you are creating and I think the Minister is trying to hastily rush through this Bill.

There is another thing in this Bill. It says: "The Central Government has taten powers to notify.". When

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will this be notified? This will be endless process because people will be coming from Ihe other country with no international border. I would, therefore, like to appeal to the Minister, Madarn, not to rush through this Bill, but to postpone consideration of this Bill and come forward with an appropriate Bill before this House. Thank you. Madam.

THE DEPUTY CHAIRMAN: Shri Asafl Madani now.

श्री ग्रसद मदनी (उत्तर प्रदेश): जमाब डिप्टी चेयरमैन साहिब, सन् 1824 में आसाम का सुवा बनाया गया। तीन जिले उसमें बंगला बोलने वाले थे और 5 असमी बोलने वाले थे। ग्रासाम के सुबे में जो ऊंची यौर महफूज युच्छी जगहें है उन्हीं में असमी बोलने वाले बसते बे। वे सहलियत से ग्रीर इतमीनान के साथ जिन्दगी गुजारते थे, कोई मशक्कत, तकलीक ग्रीर बीमारिया ग्रीर नहमवार पसन्द नहीं करते थे। उनको ग्राने की मैपन सिंह से नवाखाली से सिर्फ पांच रूपये में लोगों को नौगांव तक श्रीर दसरे इलाकों ग्रा करके ऐसी जमीनों को ग्राबाद करने की सहस्रियते दीं। इस तरीके से वहां धीरे-धीरे 1850-60-70-80 के इन जमानों में फैमलियां आई और उनको सरकार की तरफ से ऐसे इलाकों में जहां सैलाब ज्यादा आते थे और जमीने कटती बी नाहमवार थे, रास्ते वगैरह नहीं थे, वहां आबादी नहीं थी ग्रीर जमीन वेकार पढ़ी थी, वहां ज्यादा फसल उगे और सह-लियत हो उन्हें इस तरह से वहां आवाद किया गया। ग्रासाम के लोग मिजाज के लिहाज से नर्म सुलह पसंद और रवादारी मिजाज के हैं जिसके नतीजे में वे अमनो आराती के साथ रहतेथे। खुद वे लोग भी इन बाहर से आने वालों को अपनी खेतियों में काम करने के लिये हमेशा बराबर पसंद करते रहे और उनके साथ ात अच्छे ताल्कात में जिंदगी गुजारते रहे। लेकिन सन् 1930-30 के करोब वे लोग जो मेहनतकश जब मजदूर थे और उनकी तमाम फैमिलियां, उनके मर्द औरते खेतियों में लगे रहते ये, उनकी हालत कुछ सम्भली श्रीर उन्होंने कू

चं इलाकों में भी जा करके जमीने हासिल की तो उनके और मकामी वाशिदों के दरम्यान में कुछ क्लेश हुआ। सन 1936 में कांग्रेस मिनिस्ट्री अंग्रेजों ने तोड़ी तमाम स्बों में ग्रीर वहां सर सादल्ला साहब ने मुकामी ट्राइबल लोगों के ताम्राब्वन से मिनिस्ट्री बनाई इन तमाम वाकयात को देख करके जो पेश ग्रा रहे थे लाइन सिस्टम कानुन मंजर किया और उन पर जो वहां रहते थे ग्राने पर, बसने पर श्रीर उनके ग्रलग इलाके मखसूस किये उन पर पाबंदिया लगाई गई। वह मामलात बढे, ग्रीर उसमें झगड़े बढ़े ग्रीर उन बसने वालो के लिये लीडर शिप सर सादल्ला साहब के मुकाबले में भासानी साहब ने वहां तैयार की ग्रीर आपस में टकराव शह हमा। मुल्क माजादी की तरफ चल रह' था सन् 1947 में मुल्क ग्राजाद हुआ। ग्रौर खद ग्रासाम भी, उसका एक जिला सिलहट चार थाने छोड़कर वह हिन्दस्तान में आया और वाकी डिस्टिक्ट जो था, वह पाकिस्तान में चला गया था। ग्रासाम भी तकसीम हुन्ना, उसके बाद वहां 1950 में कम्युनल रायट हुए, जिसमें तीन लाख के करीब लोग बर्बाद होकर, उजड कर मशरिकी पाकिस्तान चले गये। कुछ महीनों के बाद जब हालात नार्मल हए तो नेहरू-लियाकत पेक्ट हुआ 1951 में। उस पेक्ट के नतीजे नें जो लोग इधर से उधर गए थे. उनको वापस जाने ग्रीर ग्रावाद होने का मग्राष्ट्रिया हथा, तो वह लोग श्राहिस्ता-श्राहिस्ता सन 1951 में एक-एक दो-दो फैमिली आनी शुरू हयी और उन्होंने फिर ग्राकर साल डेढ साल के अन्दर ग्रपने उन इलाकों में मकानात और देहात जो थे, उनकी आवादी गुरू हुई और वहां खेती और मकानात आदि बना लिये। इस तरीके से 1951 जनवरी में जो सेन्सस हुई. उसमें कई लाख आदमी जो राइट की वजह से दूसरी तरफ चले गये थे, वह मौजूद नहीं थे ग्रीर इस तरह वह परे परे गांव निल लिखे हुए थे, उनमें को इं रहने वाला नहीं था लेकिन एक तरफ यह आहिस्ता आहिस्ता आये और दसरी जगह इसकी मरदम श्मारी की नोई अहमियत नहीं थी। कोई सरकारी कमंचारी जाकर

[श्री असद मदनी]

गांव में बैठ र पांच-दस गांव की मर-दमशमारी लिख लेता था। इसलिए कि रास्ते नहीं थे, सर्वारियां नहीं थी, पुल नहीं बे और यह इलाके जो थे, यह सैलाबी इलाके थे, बीमारियों के इलाके थे, वहां मच्छर थे, कीड़े मकौड़े थे, जाने ग्राने में दिक्कत होती थी, न पुल थेन सड़कें थीं। तो 1951 में एक तरफ यह आवादा बाहर गयी थी, दूसरी तरफ साधन नहीं थे. इसलिये ग्रहमियत के साथ मुकम्मल सेन्सस नहीं हुई। जब दस साल बाद 1961 में दबारा मरदमशुमारी हुई, तो बहत सी सहवें बहत से पुल, बहुत से रास्ते बन चुके थे ग्रीर हुकूमत ने भी सेन्सस में पहले के मुकाबले कई गुना ज्यादा जोर और तफसीली मालमात की हिदायतें कीं थी जिसके नतीजे में एक तरफ वह ढाई-तीन लाख ग्रादमी जो चले गये थे, वह नेहरू-लियाकत पैक्ट में वापस ग्राये ग्रीर दूसरी तरफ साधन बढ़े दस साल के ग्रंदर, पुल बने सड़कें बनीं सहलियतें वहीं ग्रीर हकुमत की तरफ से ताकीद बढ़ी कि हरहर श्रादमी के हालात मालम करें। फिर 1963-64 में एक खास साजिश के तहत एक हंगामा खडा किया गया कि भासाम के अंदर कई लाख लोग गैर-मल्की भ्राकर रहते है ग्रीर उसका मोर मचा, फिर उसके नतीजे में बाज इलाके में परे-परे गांव में पुलिस जाती, रात में घेर लेती और फिर दसरी रात में ट्रकों में लादकर बोर्डर पार करा दिया जाता। इस तरह की मूस -बत और परेशानी में परे-परे गांव थे जिनको इस तरह घकेला जा रहा था, कोई झदालती कार्यवाही नहीं, किसी को सफाई-सबत का हक नहीं । लोग भागे-दौडे चारो तरफ गये ग्रीर कहा हमारी मदद करो, हम पर यह मसीवत ग्रा रही है, जिसके

Discussion not concluded नतीजे में हम लोग वहां गये, खद में उन लोगों में से था, जिस वक्त पुरे ग्रासाम का दौरा किया और सारे फैक्टस जमा किये जो हालात वहां पेश थे, फिर णिलाग जाकर फखरूददीन साहब उस समय थे, चालिया साहब भी मिनिस्टर थे ग्रौर दसरे मिनिस्टर थे, चीफ सेकेंटरी, होम मेन्नेटरी वर्गरह-वर्गरह सब लोगों से बातें की, जो ज्ल्म-ज्यादती हो रही थी, ग्रीर जिस तरीके के वाक्यात पेश आ रहे थे, उनको बताया ग्रौर उनसे कहा कि ग्राप ऐसा मत कीजिये, इनको देखिए और हालात को दरूरत करने में यह सुरतें पेश नहीं भ्रानी चाहियें। उसके बाद हमने रिपोर्ट मरन्तब की ग्रंदर यहां सेंटल गवर्न-मेंट में, पंडित जी उस बक्त जिन्दा थे ग्रीर वीमार थे, उनको पेश की और लाल बहादर शास्ती जी उस जमाने में होम मिनिस्टर थे, उनको दी और बातचीत हई, बहुत तबील गुफ़तग के बाद बहुत अमें के बाद और उस दरमियान कार्यवा-हियाँ होती रहीं। लेकिन साल, दो साल के बाद, पाँच सात साल के बादे महतलिफ एम० पीज० बेगम किदवई डा० गोपाल सिंह ग्रीर भी है, ने जाकर देखा श्रीर फिर हम लोगों ने बहेत को शिश की तो दुब्युनल बना । उसके बाद उन लोगों को मौका मिला सिटीजनशिप सावित करने का और 22 केसेज में हिन्दस्तानी साबित हुए । चालिहा साहब ने चीफ सेकेटरी से जमैयत-उल-उलेमा के नाम चिट्ठो लिखवाई जिसमें कहा कि कोई गैर-मुलकी हमारे सुबे में नहीं है टब्यनल की जरूरत नहीं है, इसलिए हम द्रिब्यनल तोड़ते हैं, इस तरह की कार्यवाही ग्राइन्दा नहीं होगी । उसके बाद '77 में हिन्दस्तान में जनता पीरियड ग्राया । उस पीरियड में फिर इस मामले को हवादी गई। आस

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श्रीर संग्राम परिषद की तहरीकें गुरू हुईं, उन्होंने कहना गुरू किया कि यहां गरमुल्की हैं । मैं एक हवाला देना चाहता हं-षी० के० वरुया साहब ने एक तकरीर में हैंडिक इंस्टीट्यूट में कहा था कि तहजीवी, नस्त्री, लिसानी एतबार से हर नान-ग्रासामी गैरमल्की है और यह बात याद रखनी चाहिए कि ग्रासाम कभी हिन्दुस्तान का हिस्सा नहीं रहा और यहां कोई भी भादमी जो कहीं से तिजारत के लिए या किसी ग्रीर काम के लिए ग्राया उसको गैरमल्की समझा ना चाहिए. यानी गैरप्रासामी नहीं, गरमल्की समझा जाय। कुछ लोग इस जहनियत के थे। आसु श्रीर संग्राम परिषद के लोगों ने मैमोरेंडम बनाया और उसको लेकर आन्दोलन गरू किया । उस वक्त श्री सिन्हा साहब मिनिस्टर थे, सैकिया साहब होम मिनिस्टर थे। उन्होंने उसको ग्रहमियत नहीं दी । उसमें यह कहा गया था गैरमल्कियों को झासाम से निकाला जाय। जनता पीरियड में गुलाव वरवोरा चीफ मिनिस्टर बने तो उन्होंने प्रैस कान्फेंस में यह बयान दिया कि ग्रास और संग्राम परिषद के लड़के मेरे पास ग्राए थे ग्रार मैंने उनसे यह बात कही कि तुम नान-ग्रासामीज के खिलाफ एजीटेशन चला रहे हो यह कहीं चलेगा, गैरमुल्कियों को निकलवाग्रो, मेरी वात उन्होंने मान ली है ग्रौर मेरे मश्विरे के मताविक वे गैरम्हिकयों के खिलाफ ग्रान्दोलन चलाएंगे। उन्होंने इसको ताकत दी। पहले 64-65 में मामला ज्यादा बडा था. ट्वियनल बने थे। उस बक्त फक्स्द्दीन साहब, गंडित जी, णास्त्री जी और शायद नन्दा जी के जमाने में बहुत लम्बे डिस्कशन के बाद एन ग्रार सी की कापियां कांग्रेस को और जमायत उल उलेमा को दी गई ताकि सिटीजन्स के नाम देखकर सरकारी कापी से मिला कर उनके मामलात

को यकुस किया जाय, शहरी मान लिया जाय । ये कापियां गुलफ ने पलिस के जरिये जबत करने की कोशिक की ताकि ग्राइन्दा सार्वित न हो सके। कहीं वे कामयाब हुए, कहीं कामयाब नहीं हए। हमने कभी भी किसी गैरमल्की को हिन्द्स्तान के किसी हिस्से में गैरकान्नी तौर पर रखने की हिमायत एक मिनट के लिये नहीं की। यह मसला मुल्क का है और मुल्क की हिफाजत का है। दूसरे मलक का सिटीजन हिन्दस्तानी नहीं, गैर-मुल्की है। अगर कानुनी तौर पर हक्मत इजाजत दे तो वह रह सकता है। हक्मत शहरी बनाती है तो हक्मत बनाये। लेकिन किसी गैर मुल्को को गैरकानुनी तीर पर यहां का शहरी बनाया जाय और कोई ऐसी कार्यवाही की जाब तो उसकी हम बिल्कुल हिमायत नहीं बरते श्रलबत्ता गैरमल्को कह कर हिन्दस्तानी शहरियों के धमन, सुकन और जिन्दगी को म्तास्सिर किया जाय ग्रीर जल्म किया जाय तो हम उसके खिलाफ है। क्या हिन्दस्तान में अमन और कानन की हक-मत होगी या बदधमनी और फसाद की ? हम वदभ्रमनी ग्रीर फसाद की हकमत नहीं देखना चाहते। हमारे मुल्क में कांस्ट्री-टयुशन है। कोई मुल्की है या गैरमुल्की है यह देखने के लिये काननी कार्यवाही होनी चाहिये। हमने हमेशा इस बात को तरजीह दी है और कहते है। इस्तिलाफ है तो इस बात पर कि हिन्दस्तान के महरियों को गैरमुल्की कह कर जुल्म और ज्यादती की जाय। हम उसको अपो न करते हैं। तो इन ग्रांदोलनकारियों ने 3 माल ढाई साल का तालीमी इदारों को बन्द करवा दिया। वहां तालीम नहीं होने दी ग्रीर लाखों इंसानों की, नीजवानों की जिन्दनी को वर्वाद किया। बड़े-बड़े प्रोफेसरों को,

श्री असद मदनी

डा**क्ट**रों को, माहीरीने तालीम को, उन के बच्चों को बावजूद इसके कि वे ग्रसमी ये लेकिन सिर्फ इस लिये कि उनका साथ नहीं देते थे, मारा, कल्ल किया। यनि-वर्सिटियों में मारा और उनको बोर्डिंग में जाकर करल किया। उन्होंने वहां की विजारत को, वहां की इंडस्टी को नुकसान पहुंचाया । सिर्फ पेट्रोलियम को बन्द कर के डेड करोड रुपये का योमिया नुकसान पहुंचाया श्रीर इस तरह से वहां का अरबों अरब रुपयों का नुकसान हमा । उन्होंने वहां के पूलों को तोड़ा, सड़क़ों को तौडा, बसों को जलाया ग्रीर स्कलों और डाकखातों को, जलाया । हजारों अपदिमियों को देहातों में जा कर तत्ल किया और लाखों म्रादमियों के मकानात को लुटा और उनको जलाया और मैने इसी हाउस में इंडिया टूडे की एक कापी पेश की थी जिसमें फोटो छपा था और उसमें लिखा या---ग्रामु के लीडर्स कह रहे थे-- "इंडियन डाग्स गो बैक।" ये **अ**ही लोग हैं कि जिल्होंने एलान किया था कि वे 26 जनवरी को तिरंगा नहीं लहराने देंगे। हम उसका अपमान करेंगे और उन्होंने झंडे का अपमान किया। उस को जलाया, रौंदा भ्रौर फाड़ा भ्रौर क्या क्या उन्होंने नहीं किया। ऐसे ऐंटी नेशनल लोग, जिन्होंने ऐसी कार्यवाहियां मुहक के साथ कों. ग्राज उन के साथ समझौता हो रहा है ग्रीर उनकी डिमांड पर, जिन पर हम हमेशा धडते रहे। धाज उन की हम रियायते दे रहे है। यह ठीक है कि हम मल जायें। यह भा ठाक है कि समझौताहोना चाहिए, लेकिन धगर म्हक उनके साथ रियायत कर रहा है तो उससे उनकी हिम्मत ग्रफजाई होगी । यह सोचना चाहिए कि यह हिन्दुस्तान के हिस में है या नहीं ? क्या उन्होंने गुंडागर्दा नहीं की, क्या उन्होंने करलगारी नहीं की ? क्या उन्होंने वायलेंस नहीं क़ी ? ग्रगर हम वायलेंस की ताकत के सामने झकेगें ता लायलेंस रहेगी या अमन और कानन रहेगा ? मुल्क में क्या होगा ? इसी तरह से उन्होंने नारा लगाया कि असम कार असमीज इसके सामने हम झक गयेती फिर कल वंग।ल फार बंगालीज ग्रौर विहार फार बिहारीज झौर महाराष्ट्र फार महाराट्यिन्स ग्रीर गुजरात फार गुजरातीज ही हो जायगा भीर फिर हिन्दुस्तान कहां रहेगा इससे हमारे मुल्क की तरककी की नुकसान पहुंचाता है । ऐसी ताकतों के सामने अकना मल्क के लिये कोई भलाई का काम नहीं है। मैं द्वाप से पूछना चाहता हं कि जिन सरकारी मुलाजिमों ने गवर्नमेंट ग्राफ इंडिया की पालिसी की खुल कर मुखालिफत[े] की, लोगों को **ग्रा**ने नहीं दिया, एम पीज को, एम 0ए ल 0ए ज 0 को नामिनेशन नहीं दाखिल करने दिया थोर उनके लड़के आंदोलन चला रहे हैं. उनकी बीबियां आंदोलन चला रही है और तमाम गैर काननी हरकतें कर रही हैं. ऐसे लोगों को हम ने माफ कर दिया। इससे सरकारी मलाजिमों में वकादारी ब देगी? यह तो इलाकाणी बातें कर के पूरे हिन्दुस्तान के मुफाद को पहुंचाबेंगे। यह बात मेरी समझ में तो नहीं प्राती। इस लिये इन चीजों को देखना चाहिए। इन लोगों ने 13 लाख श्रादिभयों के खिलाफ आब्जेक्शन दाखिल किया ग्रीर ऐसे गैर कानुनी अब्जेक्जन कबूल किये गर्म। यह एलेक्टोरल रोल में मौजूद है। ऐलेक्जन कमीजन की हिदायत थी किनं0 7 के कार्य पर होना चाहिए और उसके खिलाफ होना चाहिए कि जिस का नाम कि बोटर लिस्ट में हो ग्रीर उसी हल्के में उस

करनी च।हिए । गवाह भी ऐसे होने चाहिए। लेकिन उस में किसी का खयाल नहीं रखा गया। 40, 50 हजार थोक में धाब्जेक्शन धाये और तबुल किये गये और जिस को आप ने गैर मल्की कहा है उसके खिलाफ सबूत देना चाहिए । सबूत न हीं दिया गया श्रीर नोटिस जारी कर दिये गये। वह खारिज होने चाहिए थे सबत के वगैर, लेकिन यह नहीं हुआ और आप ने जो सबत मंगा वह सबत इंसाफ ग्रौर कानन की रूह से कैसे सही है। एवीडेंस ऐक्ट मौजूद है। क्रोई करल करे या चोरी करे या डाका मारे, एवीडेंस ऐक्ट के मुताबिक ही सब्त होता है। लेकिन इसके बजाय, जो तमाम इनिया की अदालतों में मानी जाती है, आपने सिटीजन ग्रीर बोट को बाक़ी रखने के लिये. ग्रापने कहा कि बर्थ सर्टिकिकेट लाओ। ग्रासाम में वह नहीं होता।

उपहापितः : ग्रव ग्राप खत्म कीजिए ।

थीं ग्रसद मदनी : पहली चीज तो कि वर्ष सर्टीफिकेट लाग्रो, जिसका कोई इंतजाम नहीं । दूसरी चीज मांगी कि नेशनल सिटीजनशिप सर्टीपिकेट लाग्रो जिसका कोई प्रयोजन नहीं । तीसरी चीज अ.पने कहा कि 1971 की लिस्ट में नाम होना चाहिए । सिर्फ 49 हल्कों में 126 हलकों में से जिसमें ग्रक्लियतें रहती हैं जिनकी लिस्ट की जरुरत थी, वहां न हो कर के बाकी सब में लिस्ट मौजद हैं। सिर्फ 49 हलकों की लिस्ट न गवनेमेंट वेती है और न इलेक्शन कमीशन देता है। किसी के पास नहीं है। ग्रगर किसी पालिटिकल पार्टी या किसी कंडीडेट के पास निकल ग्राई, वह कहीं से ले श्राया तो इसको वह मानते नहीं । रोज लोग दौडते हैं, 8-8 घंटे लोग वयु में खड़े रहते रहे। यह पता लगा है कि वस से कम पांच श्रौरतों की सैकड़ों मर्दी के सामने डिलीवरी हुई है। डाक्टर का सर्टीफिकेट पेश किया गया कि ग्रीरत इस काबिरा नहीं है, बच्चा होने वाला है इसलिए वह नहीं आ सकती। वह कहते हैं कि नहीं उसे श्राना पड़ेगा । इतना

श्रपमान हुआ है। औरत गई छौर कहा कि मेरे शौहर का नाम आपकी लिस्ट में मौजूद है और मैं इसकी औरत हं। तो अफसर साहब फर्मात है इलेक्कन कमीशन के कि क्या सबूत है कि तम इसकी पतनी हो मेरी नहीं । श्रीरतों के साथ इस तरह का अपनाम होता है। इस तरह कह कर आप सबत मांगें और ग्राप इस तरह से बेइज्जत करे यह ठीक नहीं है। इस तरह से लाखों ब्रादमी परेणान हो रहे हैं। इलेक्शन वमीशन 13 लाख घंटे लगाए । सबसे पहले तो यह सब्त मांगता है कि यह गैर मत्की है। इस सब्त के लिए प्राधा घंटा श्रीर इसके बाद नोटिस की बात आती है । वह श्राकर सबत दे कि वह इंडियन है। उसके टायल के लिए ग्राधा घंटा का समय लगाए । कहने का मतलब यह है कि 13 लाख घंटे होते हैं । 13 लाख घंटे के 148 वर्ष बनते हैं। 148 वर्ष 4 महीने 26 दिन 16 घंटे कुल 13लाख घंटे होते हैं। इस तरह से इलेक्णन कमीशन ने कौन सा जाद किया है क्या हुआ है मेरी समझ में नहीं द्याता । इन सब चीजों को सोचना चाहिए ।

उपसभापित: मदनी जी मेरे पास दो ग्रीर स्पीकर हैं ग्रीर 6 वजे हम लोगों को वालिंग ग्रटेंशन लेना है। इसलिए ग्राप खत्म करिये ।

श्री ग्रासद मदर्न : मैं खत्म कर रहा हं। एक बात पूछता हं कि ये गरीब लोग जो 66 से 71 के दरमियान ग्राए, पाविस्तान से ग्राए वे इसिक्ए आए थे कि बहां के मसलमान भी उस हक्मत से नाराज थे। लाखों की तादाद में धापके यहां ग्राकर शरण ली थी । ऐसी हालत में ग्रगर 9-10 लाख हिन्द यहां द्धा गए आपने उनको शरण दी। म्रापने उनको हिन्दस्तानी बनाया । म्रापने उनको बोटर बनाया लेकिन ग्रव उनके साथ ग्राप क्या करने जा रहे हैं। जो बंगला देश से आए हैं उनके साथ यह क्यों हो रहा है। कसूर यह है कि उनकी जवान बंगला है। जब कि बंगला भी हिम्द्स्तान की जुबान है । उन गरीबों

श्री असद मदनी को आप इस तरीके से हक नहीं दे रहे हैं। श्राप उनको शहरी मान कर भी उनको श्रसम में बोट देने का हक काट रहे हैं तो यह उनके साथ गलत हो रहा है। किस तरह से हमारी हक्मत का कानून दस्त्र चलेगा। ग्रापको यह सोचना चाहिए। ग्राप कियी बात पर सुनह कर रहे हैं, सुलह बेशक होनी चाहिए लेकिन सुलह ऐसी होनी चाहिए जिससे शहरियों की मुल्क की इज्जत खराव न हो। इज्जत न लुटे। आप गंडागर्दी को तरहीज दें ग्रीर ताकत के सामने अकें तो यह बात हिन्द्स्तान की ज्ञान के खिलाफ है। इन्दिरा जी ने श्रपनी जिन्दगी में कभी ऐसा नहीं किया। इन ग्रल्फाज के साथ में खत्म करता हं ग्रीर इसकी ताईद करता है।

شری است مدنی (تربودیه): جلاب دهای چیرمین صاحب -سن ١٨٢٣ مين أسام كا صوبه بتأية گيا - تهن ضلع اسمين بنگاء بولنے والے تھے اور پانچ أسامی بولاء الے تھے ۔ آسم کے صوبہ میں جو ولیدی اور اچپی محصفوظ جگهین هین انہیں میں اسک بولاء والے بستے تھے - وہ سہولیت سے اور اطمدان کے ساته زندگی گزارتے تھے - کوئی مشقت - تعلیف اور بیماریان اور ناهمرا، علاتے یسند نہیں کرتے تھے انگو آنے کی میس سنگه سے نواکهالی صرف پانچ روپیه میں لواوں کو دوگای تک اور دوسرے ماقوں کو آکو کے ایسی زمینوں کو آباد کونے كى سهولتين دين - السطويقة س 1900-10-V--NO - 2000 - 1000 , les کے ان زمانوں میں فیطیار آئیوں اور انکو سوکار کی طرف سے ایسے علاقول مین جهال سیلاب زیاده آلے

تع اور زمينين كتنى تهين ناهموار تهے - راستے وفیرہ بہوں تھے - وہاں أبادى نهدى تهى اور زمدى بيكار يوى تهى وعان زيادة فصل أكي اوو سهوليت هو انهين اسطرح سے واين آباد کیا گھا - آمام کے لوگ مواے کے احماظ سے نوم صلمے پسادہ اور رواداری مزاج کے مهل جسکے نتیجہ میں وہ اس و آشتہ کے سات، رہتے تعے - خود وہ لوگ بھی ان باھر سے آنے والیں کو ایلی اورتدوں مھن کام کرنے کیلتے همیشه بوابر یسند کرتے رهے اور اُنکے ماتھ بہت اچھ تعلقات میں زندگی گزارتے رہے - لیکون سن ۲۵-۱۹۳۰ کے قویب جب یہ لوگ جو معملت کش تھے - مزدور ته اوو انکی تمام فیملهان انک -ود عورتیں دیہتوں میں لگے رہتے تھے -الكمي حالت كحچه مذبهاي اور انہوں نے کنچھ اونجے علاقوں میں ہے جاکر کے زمینیں حامل کیں تو انکے اور مقامی باشندوں کے درميان مير كنچه كليس هوا -

سن ۱۹۳۲ میں کانگریس منستری انگریزوں نے توزی تمام صوبوں میں اور وعاں سر سعداللہ صاحب نے مقامی ترائیل لوگوں کے تعاون سے منستری بنائی - ان تمام واقعات نو دیکھکر نے جو پیدل آ رہے تھے لائن سستم قانون منظور کیا اور ان پر جو وہاں رہتے تیے آنے پر بسنے پر اور ارکے الگ علاقے مخصوص کئے

ان پر ھابندیاں لاائی گئھن - ولا معاملات پوه اور استين جهاوت بوق اور ان بسنے والیں کیائے نیڈر سے سر سعد الله صاحب کے مقابلے میں بهاسائی صاعب لے وہاں تھار کی 🤝 اور آپس آپرسین انکراو شروع **هوا -** --ملک آزاهی کی طرف چل رها تها ، سرم ۱۹۳۷ مهن ملک آزاد هرا اور خود آسام بهی اسکا ایک فلع سلهمت چار تبانے چهور کر وہ هندوستان مهن آیا اور بالی قسارات جو تها وه هاکستان میں چلا گیا تہا آسام بھی تقسهم هوا اسكے بعد وهأن +190 مين المهوائل والأنف هوأي جسمين 🗀 ۳ لاکھ کے قریب لوگ بریاد ھوکر اجو کر مشرقی پاکستان چلے گئے -کعیہ مہینوں کے بعد جب حالت تارمل هوئے تو نہرو لہاتمت پیکٹ ہوا۔ 1901 میں اس پھکست کے تتيجه سهن جو لوك ادهر ادهر گئے تھے انکو واپس جانے اور آباد ھونے کا معاہدہ ہوا تو وہ لوگ أهسته أهسته سله ١٩٥١ مهن أيك ایک در در قیبای آنی شروع هو**ئی**ں : اور انہوں نے پہر آکر سال تھوھ سال کے اندر اپنے ان علائوں میں مکانات اور ديهات جو ته أنكي أبادي شووع هوئي ارز وهان كهيلاني اور مكانات وقيرة بقالتیہ اسطریاء سے ۱۹۵۱ جنوری میں جو سينسس هوئي اسمين کلي لاکھ · آدمی جو رائب کی وجه سے دوسر*ی* جگه چل کلے تھے وہ موجود نہیں 1444 RS-13

ٹھے اور اسطرے ولا پورے ہورے کوں تل لکھے ہوئے تھے۔ انمیں کوٹی رہتے والا نهيل تها - لهكن ايك طرف يه أهسته أهسته آئے اور دوسری طرف مردم فعاري كي كولي الأبهت تههن تهی - کولی سرکاری کرمنهاری جاگر كؤن مين بيعيكو بانچ هس كون كي استان لكه ليعا تها الس لگے که راسعے نہیں تھے سواریاں نہیں تبین - پل لیبن تھے اور یہ علاتے جو تھے یہ سپائی ملائے تھے - بھماریوں کے مالئے تھے وہاں مجور تھے ۔ کھوے مكورة ته - جائے آئے مهن غالت هولی تهی نه پل تها نه سوکهن تُبِينِ - تو ١٩٥١ مين آيك طرف یهٔ آبادی باهر ککی تهی دوسری طرف سادهن نههن ته اسليّه اهمهت کے ساتھ مکیل سیلسس ٹیھی ہوئی۔ جب دس سال بعد ۱۹۹۱ میں دوباره مردم شماری هوئی تو بهت سی سرکیں بہت سے پل بہت ہے راستے بن چکے تھے اور حکومت نے غهی سیلسس میں پہلے کے مقابلہ ککی کفا زیادہ زور اور انصهای مملومات کی هدایتھی کی فیھی ۔ جسکے تدیجہ میں ایک طرف وہ تعالی تھن اکھ آدسی جو چلے گلے ته وا نهرو لهاقت بهكت مهن وأيس أأله أور دوسوى طرف سأدعن بوم دس سال کے اندر پل بانے سرکین بلین سپولیتین ابرهین اور^{ین} ے میں اس خلومیوں کی طرف سے تاکید ہومیں پیشانیات

[شرى اسعد مدني] که هر هر آدمی کے حالات معلوم کریں - پھر ۱۹۲۳-۹۳ میں ایک خاص سازش کے تحت ایک هنامه کہوا گیا گیا کہ آسام کے اندر کلی لاکھ لوگ فہو ملکی آکو رہتے ہیں أور إسكا شور محوا - ييز اسكي تعيجه میں یعنی علاقوں میں ہوے پورے گاوں میں پولیس جاتی رات میں کههر لیکی اور پهر دوسرس راسه میس ترکوں میں لاد کر بارقر یار کوا دیا جاتا - اسطوح کی مصهدت آور پریشانی میں ہورے پورے کاوں تھے -جلكو اسطرم دهكية جا رها تها -كوئى عدالتى كاروائى تبهى كسى کو صفائی تبوت کا حتی نہیں ۔ لوگ یهاکے دوڑے چاروں طوف گئے اور کہا هماری مدد کرو هم پر یه مصهدت آرهی هے جسکے تتهجہ میں هم لوگ وهاں کاتے - خود میں ان لوگوں میں سے تھا - جسوقت ہورے آسام کا دورہ کھا اور سارے فیکٹس جمع کئے جو حالات وہاں پیش تھے۔ يهر شيلانگ جاكر فخر الدين صلحب اسوقت تهر-چاله، صاحب بهی چیف منستر تهے اور دوسرے منستر تھے -چيف سكريتري هوم سيكريتري وغهرة وفيرة سب لوگوں سے باتيں اکيں جو ظلم زیادتی هو رهی تهی اور جسطریقه کے واقعات پیش آ رہے تھ انکو بعایا اور ان سے کہا که آپ ايسا مت كيجه الكو ديكها اور حالات کو درست کرنے میں یہ صورتين پيش لههن آني چاهلين -أسكے بعد هم نے رپورٹ موقب كى اور یہاں سائرل کورنمامی میں پندس جى أسولت زندة تعد أور بهماو تعد أنكو يهش كى أور قل بهادر شاسترى جي اس زمانه مين هوم منستو ته أنكو دى أور يات چيت هوئى يهمت طویل گفتگو کے بعد بہت عوصه کے بعد اور اس درمهان کارووائیان هوتی رهیں۔ لیکن سال دو سال کے بعد پانیم سات سال کے بعد مختلف ایمههز۔ بيكم قدوائي - قاكتر كويال ساكم اور یھی جاہوں نے جاکو دیکیا اور پھر ھم لوگوں نے بہت کوشھ کی دو تریبونل بنا - اسکے بعد ان لوگوں کو موقع ملا ستیزن شب ثابت کونے کا اور بائيس گيرس بائيس هدرستاني تابت هوئے چالها صاحب لے چیف سکویاتوں سے جمعه تعالمما کے نام چالهی المهوائی جسمهن کها که کوئی فهو ملكي هداري صوبة مهن نهين ھے ۔ تربیونل کی ضرورت نہیں ھے اسليَے هم ٿربهونل تورتے ههن -اسطوح کی کارروائی آئنده نهیں هوگی-اسكي بعد سنه ۷۷ مهن هندوستان مهن جنتا پيريد أيا اس پيريد مهن يهر اس معامله کو خوا دی گلی "قراسو" اور قسنگرام پريشد" كى تحریکیں شروع هوئیں - انہوں نے کہنا شروع کیا که یہاں فہر ملکی هين - مين ايك حوالة دينا جاهتا هوں - وی - کے - بروا صاحب نے ایک تقریر میں ههندی انسانی تیرے میں کہا تھا که تہذیبی -نسلی - نسانی امتدار سے هو نان آسامی فیر ملکی هے اور یه بات یاد رکھنی چاھئے که آسام کبھی ھندوستان كا حصة نههن رها اور يهان كوثي بھی آدمی جو کہمن سے تجارت کیلئے یا کسی اور کام کیلئے آیا اسکو غير ملكى سمجها جائي - يعلى غهر آسامی نههن فیر ملکی سمجها جائے۔ کتیم دوگ اس دهایت کے تھے۔ The Citizenship

اسو اور سلکوام پریشد کے لوگوں لے مهمورندم بكايا أور أمكو لهكو أندولني غروع كها - اسوقت غرول سلها صاهب ملسلار ته - سهکها ساهب ھرم ملسلو تھے - انہوں نے اسکو اهميم نهيو دول - اسهور يم كيا کیا تھا کہ فیر ملکیوں کو آسام سے نكا جائے - جنعا بهرية إمهن كاب بربورا چھف منسلر بلے تو انہوں نے پر*یس کانفرنس می*ن یه بهان دیا که آسو اور گلسلگوام پریشد کے لوکے میرے پاس آلے تھے اور میں نے ان سے یہ بات کہی کہ هم نہان آسامهن کے خلاف ایجیٹیشن کے جلا رهے هو وه نهيں چلے ا - فير ملکیوں کو نکاواؤ میر_{ول} باس انہوں نے مان لی ہے اور میرے مھورے کے مطابق ولا فهر ملکیوں کے خلاف أندولور جالئهن كے - انهوں نے اسكو طالت دول - پالے ۲۵-۲۳ میں معاملہ زیادہ ہوھا تھا۔ ٹو*اڈ*ینیھنل بئے۔ ته اسوقت تخر الدين صاحب -پلاس جی - شاستری جی اور شاید نلدا جي کے زمانه ميں بہت سے قسكشي كے يعمه ايس - آر - سي - كي كايهان كانكريس كو أور جمهعته العما کو دی**کئ**یں تاکہ ستیزنس کے 📲نام دیکهار سرکاری کاپیوں سے ملاکر انکے معاملات کو یکسو کها جائے شہری مان لها جائم - يه كايهان كلاب پريرزا ساحب نے پولیس کے قاریعہ ضیط کرنے کی کوشھ*ی* کی تاکه آئلدہ البت نه هو سکے - کمیں وا کامیاب ھو<u>ئے</u> کہیں کامیاب ٹھیں ھوٹے -هم نے کیوں یہی کسی غیر ملکی کو هندوستان کے کسی حصه مهن فهر قالوتی طور پر رکھلے کی حسایت ایک منت کیلئے لہیں کی - یہ

مسئله ملک کا هے اور ملک کی حناظت کا ہے دوسوے ماک کا ساهون هدوسالي تهين هـ - غير ملکی ہے ۔ اگر قانونی طور پر حکومت اجازے دے کو وہ رہ ھے۔ حکومت فہری بنائی ہے تو حکومت بهالے لهکن کسی غیر ملکی کو فهر خانولی طور پر یهان کا شهری بنایا جائے اور کولی ایسی کارواکی کهجائے تو هم اسکی بالکل حمايت نهين كوتے - البته مير ملكي کہکر ہفدوستانی شہویوں کے اس – سعون اور زندگی کو معافر کیا جائے اور ظلم کیا جائے تو هم اسک خلاف هيي - كها هندوستان مهن أمن و قانون کی حکومت هوگی یا بد املی اور فساد کی حکومت نہیں۔ دیکھنا چاہتے عمارے ملک میں کاسٹی ٿيوشن آھے ۽ کو**ئي م**لکي ھے يا فیر ملکی ہے یہ دیکھلے کیلئے تانونی کارروائی هوئی چاهائے - هم نے همیشه اس بات کو ترجیم دی ہے اور کہتے هين - اختلاف هے تو اس بات پر که هندوستان کے شہریوں کو فیر ملکی کهکر ظلم اور ویادتی کیجائے - هم ايوز كوتے هيں - تو ان أندولي كاريوں نے قعائی سال تک تعلیمی اداروں کو بلد کرا دیا - رهان تعلیم نهین ھولے دی اور اکھوں انسانوں کی ۔ توجوانوں کی زندگی کو پریاد کیا ۔ بوے ہوے پرونیسریں کو - قاکتروں کو ماهرین تعلیم کو انکے بحوں دو باوجود أسكه كه وسامى قهم لهكن موف إسائم كه الكا ساتم نهمن ديتم مه - مارا - قتل کیا - یونیورسالیوں نهن مارا اور انکے بورڈنگ میں جاکو تعل کیا ء انہوں نے وہاں کی تحارف کو رہاں کی انڈسٹاری کو 🕝

[شری اسعد مدنی] تتصان بهلجایا - صوف هیگوولهم کو بلد کرکے قیوہ کرور رویعة کا موسیة نقصان پهنجایا اور اسطرم سے وهاں کا اویوں روپیوں کا نقصان ہوا -انہوں نے وہاں کے پلوں کو توڑا -سرکوں کو دورا - بسوں کو جالها اور اسکولوں کو ڈاکھاتوں کو جلایا ۔ هزاروں آدمیوں کو دیہاتیوں میں جاکو قتل کیا اور لائین آدمیس کے مکانات کو لوٹا اور ایکو جالیا اور میں نے اسی هاؤس میں انڈینا ٹو تے کی ایک کاپی پیش کی تھی جسمهن قوالو جهها نها اور اسمهن لکھا تھا ددآسوء کے لیقرس کہوھے ته . . ده ا دین قولس کو بیک . . یہ وهی لوگ هیں که جاہوں نے اعلان کها تبا که وه ۲۱ جلوری کو الرنكا نههن ليراني ديلكي - هم أسكا اہمان کریلکے اور انہوں نے جھنڈے کا ايمان كيا اور اسكو جايا - روندا اور پھاڑا اور کھا کھا ابھوں تے نہمس کھا -ایسے اندی نیشلل لوک جاہوں نے ایسی کارروائهاں ملک کے ساتھ کھی اے انکے ساتھ سنجهوته هو وها هے اور انعی قماند هر جلهر هم همیشه ازتد رہے - ہے هم رمایتیں دے رہے میں یہ ٹھیک ہے کہ عم ان بانوں کو بهول جائیں یہ بھی ٹھیک ھے که سمجهوته هوبا جاهك لهكن اكر ملك انکے ساتھ رمایت کر رما ہے تو اس يد انكى همت اقرائى هوگى - يه سوچلا جاهلے که هلدوستان کے قائدہ ميں مے يا نہيں - کيا انہوں نے غندا کردی نہیں کی - کیا انہوں تے تتل و غارتکری نهیں کی - کیا انہوں نے وائللس نہیں کی - اگر هم والنفس کی طاکت کے ساملے جوکیلگے کو واللس رهیگی یا اس و

قاتون رها حملک میں کیا هولا اسی طرح سے آنہوں نے تعرد لکایا که ددآسام فار أسامهزه اسكه سامله جهک کالے تو پهو کل ددباتال فار بلکالهزه ... اور دبهار قار بهاریزه . . . اور ددمهاراشتر فاو مهاراشتریدس، در "کجرات فار كجراتيزه . . . هي هو جالهكا اوريهر هندوستان کهان رهه کا- اس سے همارے ملک کی ترقی کو نقصابی پہلچما ہے۔ ایسی طائدوں کے ساملے جهکا ملک کے لگے کوئی بھلائی کا كام نهين - مين آپ س پوچها جاهدا هوں که جن سرکاری مقارموں نے گورنمیات آف انڈیا کی ھالھسی کی کهل کو مطالفت کی۔ لوگوں کو آنے نہیں دیا۔ ایسیو کو آیم۔ ایل ایو دو نامینیشی نهیں داخل کرنے ديا اور انكے لوكے آندولن چة رهے هين- انكى بيويان أندولن جلا رهي هیں۔ اور تمام غیر قانونی حرکتیں کر رهی هیں۔ ایسے لوگوں کو هم نے معاف کودیا اس سے سرکاری مقزمیں میں وفاداری بڑھے گی۔ یہ تو علقائی پاتیں کرکے پورے مندوستان کے وفاد دو تتصابي پهلهائهلکي، يه بات ميري سمعه مين نهين أتي- اس لئے ان چیوں کو د کھلا چاھئے ان لوگوں نے ۱۳ لاکھ آدمیوں کے خلاف آبجيكش داخل نها اور ايسے فير قانونی آبعهیکشی قبول کئے گئے۔ يه اليكتروول رول مون موجود هـ-البكش كميشي كي عدايت تهي كه نمبر ٧ کے فارم پر هونا چاها اور اس کے خلاف ہونا چاھئے که جسکا نام ووتولست مين هو اور اسي علقه میں اسکی شکایت کرنی جاھئے۔ كواة مي ايس هول جاهات- لهكون اس میں کسی کا خیال تہیں رکھا

کم سے کم پانچ مروتوں کی سیلکووں مودوں کے ساملے قالیوری ہوئی ہے -ة اكتر كا سرتينيك بيس كيا كها كه مورت اس قابل نهين هـ بحه هولے والا يو اسائے وہ نهيں آسكتى -وہ کہتے ھیں که نہیں اسے آنا پریکا-اتفا ايمان هوا هـ احكا - عورت كلي اور کہا کہ میرے شرهر کا نام آپکی لست مين موجود ۾ اور - هن اسكي عورت هون تو انسر صاحب فرماتے ھیں انہکھی کمیشی کے که گیا تبوت ہے که تم اسکی پتنی ہو -مہری نہیں عور وں کے ساتھ اسطوح كا أيمان هوالم هي أسطوم ية كهكو آب گدوت مانگیں اور آپ اسطرے سے بے عزت کریں یہ ٹیھک نبھی ہے انسطرح سے لاکھوں آدمی پویشان ہو رهے هيں - اله کشن کمهشن ۱۳ لاکه كيلله لكائے - سب سے پہلے تو يه ثبوت مانکتا هے که غیو ملکی هے اس ، ثبوت كيلئے آدهه گهلته اور اسكے بعد نوٹس کی بات آتی ہے وہ اگر عبوس دے که وہ اندین ہے۔ اسکے ترایل کیلئے آدھا گھنات کا رتت لكائي - كهلے كا مطلب يه هے كه ١٣ لاكه گهنته هوتے هيں - ١٣ لاكه گیئتہ کے ۱۳۸ سال بنتے میں۔ ۱۲ سال ۳ میدند ۲۹ دس ۱۹ گهفته کل ۱۳ لاکه گهفته هوتے هين اسرح سے الیکشن کمیشن نے کون سا جادو کیا هے کیا هوا هے ادری سمجه سين تهين أتا - ان سب چيزوں کو سمچلا چاهلے -

میں ختم کر رہا ہوں - ایک بات پوچهتا هون که یه لوگ جو ۲۲ سے ۷۱ کے درمہاں آئے - پاکستان سے

گڼا ۱۳۰ - ۵۰ هؤار تاپوک مهی آبجهكشن آئے اور قبول آئے كئے اور چسکو آپ نے غهر ملکی کها هے اسکے خلاف ثبوس دينا چاهيه- ثبوس نهين دیا کہا اور نوٹس جاری کردیئے گئے۔ ولا خارے هونے جاعليں تھے ليوت كے بغير - لهكن يه نهيس هوا اور أي جو ثهوت ماذكا ولا ثهوت انصاف اور قانون کی رو سے کیسے صحیع می ایویڈنس ایکت موجود ہے۔ کوئی قتل کرے یا چوں کرے یا ڈاکھ مارے۔ ایریڈنس ایکت کے مطابق هي گبوت هوتا هے- ليکن اسکے بحوائے جو تمام دنیا کی مدالتوں میں سانی جانی هیں آبه هتمین اور ووق کو ہاتی رکھلے کے لگے آیے گہا كه برته سرتهنيك له- أسام مين ولا تهين هوتا-

پهلی چيز تو يه که برته سوليفيكمك لاع - جسكا كولى التظام تهیں دوسری چیز مانکی که تیشلل ستيزنشب سرتينيكت لاؤ- جسكا كوئي پروويزن نهين - تيسري چيز آني کہا کہ ۱۹۷۱ کی لست میں نام هونا هاعيُّے - صوف ٢٩ حلقوں ميں ۱۲۷ علتوں میں سے جسمین اقلهتیں رهتی هیں جلکی لست کی ضرورت تھی وہاں ته ہوگر کے ا بالی سب میں لست سوجوں ہے صرف ۲۹ حلتوں کی لسٹ ته گورنمات ديتي هے اور نه الهكشن کمیشن دیتا هے کسی کے باس نهين ۾ - اگر کسي پوليٽيکل پارٹی یا کسی کلڈیڈیٹ کے ہاس نکل آئی ولا کھیں سے لیے آیا تو اسكو ولا مالته نههو - روز لوك دورتے رہے ۷-۸ گھلٹھ لوگ ڈائی میں كبور رهاي رهي - يه ياله للا هي كد

[شرى أسعد مدني] آئے وہ اسلام آئے تھے کہ وہاں کے مسلمان بھی اس حکرمت سے ناراض تھے - الکھوں کی تعداد میں آپکے يهان آفر پاء لي تهي - ايسي حالت مهن اگر نودس لايه هندو يهان آگئے آیے انکو شرن دی۔ آیے انکو هد انك وروثر الله وروثر بغايا ليكن اب انكي سانه آپ کیا کرنے جا رہے میں بنکله دیمی سے آئے هیں انکے ساتھ یه کیرن هو رها هے - قصور به هے که انکی زبان بنگلہ ہے جبکہ بدکاء بھی هددوستان کی زبان بھی بنگلہ ہے ۔ ان غریبوں کو آپ اس طریقہ ہے حق نہیں دے رہے میں - آپ انکو شهري مان كر يهى انكو أسام مين ووق دیلے کا حق کات رہے ھیں تو یہ انکے ساتھ فلط ہو رہا ہے ۔ کسطرے سے هماری حکوست کا قانون - دستور چلے کا - آیکو یہ سوجلا چاھئے آپ کس باست پو صلح کر رہے۔ ھیں -صلم بيشك هونى چاهيُّ، لهكن صلم ایسی ہوئی چاہئے جس سے شهریوں کی - ملک کی عدم خراب نه هو - عوت نه لئے - آپ فاقه گردي کو ترجیع دیں اور طاقت کے سامنے جهکهن تو یه بات هذه وستان کی شارر کے خلف مے اندوا جی نے اہلی زندگی میں کبھی ایسا نہیں کیا -ان الفاق کے ساتھ مھی ختم کرتا هوں اور اسکی تائید کرنا هوں -] श्री इद्र प्रताप सिंह (उत्तर प्रदेश): श्रादरणीय उपसमापति सहोदवा श्रामका में हुरव से शामारी हूं कि जो प्रापन मन्ने

नावरिकता (संबोधन) विधेयक 1985 पर
अपने विचार प्रकट करने का अवसर दिया
है। मैं इस विधेयक का संबंधन करने
के लिए खड़ा हुआ हूं। महोदया आपने
मुझे तो इस अत्यन्त महत्वपूर्ण विधेयक पर
अपने विचार को प्रकट करने का अवसर
तो दिया ही साथ ही आपने मुझे अपने
ही दल के एक सम्मामित साथी के
औजस्वी भाषण के पश्चाद् अपने विचारों
को प्रकट करने का जो अवसर प्रदान किया
है उसके लिए मैं आपका हृदय से आभारी
हूं।

महोदया इस विधेयक पर इस सदन के दोनों पक्षों के माननीय सदस्यों ने अपने सारगभित विचार प्रकट किये हैं और मैं समझता हं कि उनके विचारों को प्रकट किये जाने के पश्चात् इस विधेयक परकोई विशेष यात कहने को नहीं रह गई है। लेकिन फिर भी मैं कुछ निवेदन करना चाहुंगा । सबंप्रथम तो मैं भी श्रपने पूर्ववक्ताश्रों की भांति इस बात को कहना चाहंगा कि 2 फरवरी 1980 को जो श्रासाम के मल निवासी वे उनकी छोर से एक ज्ञापन हमारी स्वर्गीय प्रधतन मंत्री श्रीमती इन्दिरा गांधी जी को दिया गया था जिसमें उन लोगों ने इस बात पर चिन्ता व्यक्त की थी कि श्रासाम में विदेशियों के ग्रागमन से उनके लिए केवल आर्थिक संकट हीं नहीं उत्पन्न हम्रा है बल्कि उनकी सभ्यता और संस्कृति को भी भय उत्पन्न हो गया है। हमारी स्वर्गीय प्रधान मंत्री श्रीमती इन्दिरा गांधी ने निरन्तर श्रासाम की समस्या का निराकरण करने का प्रयास किया। उन्होंने वहां के नेताओं से और वहां की ननता के साथ बातचीत का रास्ता अपनाया और आसाम में विधान सभा के बुनाव भी सम्पन्न हुए । विधान सभा के बनाव हो जाने के पश्चात समस्या का एक प्रकार से निराकरण हो गया था। मगर फिर भी हमारे दल के नेता परम ब्रादरणीय श्री राजीव गांधी जी यह चाइते वे कि न केवल समस्या का निराकरण हो बल्कि उसका स्वायी रूप से समाधान हो । उन्होंने पुनः असम के नेताओं से बातचीत की और बातचीत के पश्चात स्वतंत्रता विवस के दिन एक तनशीता हुआ।

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इस समझौते पर, जो लोग आन्दोबन चना रहे थे ग्राँर ग्रसम की महान जनता ने अपनी पूरी सङ्ग्यति और स्वीकृति प्रदान की । अझी तक असम की समस्था की बात है तो समस्या के रूप में बहां कुछ भी नहीं रहा है श्रिपतु यह समस्या ग्रसम में न होकर राजनैतिक दृष्टि से मिस्तिष्क में उपजी एक समस्या है। मेरे विचार से, असम में नोई समस्या नहीं है बल्कि समस्या जानबसकर बनाई जा रही है। वहां के लोगों ने तो इसका द्ववयं सं स्वागतं विधा है ! हमारे प्रधानमंत्री जी ने प्रधानमंत्री का कार्यभार ग्रहण करने के पश्चान जिस प्रकार से पंजाब की समस्या, असम की समस्या ग्रार गजरात की समस्या का निराकरण बिया है, इससे यह माननीय सदन, भारत की जनता ग्रीर 'सम्पूर्ण विश्व ग्राण्वर्य-चिति है। यन कुछ निहित स्वार्थ नाले लोग विदेशी शक्तियों से प्रेरित होकर जो हमारी प्रधानमंत्री जी की उपलब्धियां हैं, जो हमारी सरकार की उपलब्धियां हैं उन्हें झठलाना चाहते हैं और उनकी क्रोर से इस बात का प्रयास हो रहा है कि वह जो समझौता हुआ है उसमें कमियां बताई जायें। श्रभी असम का जो समझीता हमा, उस पर दोनों माननीय सदनों में विस्तारपूर्वक चक्ती हुई। जहां तक में समझता हूं न केवल सत्तारूढ़ दल के सदस्यों ने बल्कि विपक्ष के माननीय सदस्यों और नेताओं ने भी उस महान समझौते का स्वागत किया है और प्रधान मंत्री जी की मूझबूझ, उनकी कार्य-कुणलना और उनकी महानता की भूरि भरि सराहना की है। भाज जो विधेयक यहां पर हमारे सुयोग्य गृह मंत्री जी ने प्रस्तुत किया है, यह तो केवल, वह जो समझौता हुआ है उसको कानुनी स्वरूप दिये जाने के लिये हैं। मैं समझता हूं कि आज जिन माननीय सदस्यों ने असम की समस्या को यहां पर बढ़ाचढ़ाकर प्रस्तृत किया है, यह इसके लिए उपयुक्त समय नहीं था । ग्राज तो केवल इस बात पर विचार किया जाना था कि जो समझौता किया गया है और उसको जो कानुनी स्वरूप दिया जाना है, क्या उसमें कोई कमी है।

The Citizenship

जो विधेयक यहां पर प्रस्तुत किया गया है, मैं दाबे के साथ कह राजता है कि यष्ट्र जो समझौता हुआ है, उसके शत-प्रांतमत यह अनुरूप है ग्रीर उसकी भावना के अनुसार पहुँ। इस विधेयक में उन सभी बातों का प्रावधान किया गया है जिससे जो समझौता हुआ है उसका सम्बित रूप से निराकरण हो सके । में इसके लिए प्रधानमंत्री जी और गृह मंत्री जी क्षया अपनी सरकार को हृदय से बधाई देना चहता हूं। मुझे आशा है कि यह जो विश्वेयक लाया गया है इसकी हारा जो इमने और हमारी सरदार ने एक ऐतिहासिक फैसला किया है. उससे उसका कार्यान्वयन हो जायेगा ।

महोदय, जद्दां तक ग्रसम की नागरिक्ता का प्रश्न है उसके बारे में मैं कहना चाहता हं कि बहत गंभीरता से विचार-विमर्श करने के पश्चात है। यह समझोता किया गया था। ग्रीर ग्राज फिर उस में शंका किया जाना मैं समझता हं कि वह जो समझौता हम्रा है उसकी भावनाद्यों के धनुरूप महीं है। जो विधेयक सरकार द्वारा यहां पर प्रस्तुत किया गया है पहले से उसके बारे में यह कहना कि इस विधेयक के द्वारा जो समझौता किया गया है पुरा लाभ मिल सकेगा या नहीं मिल सकेगा इस के बारे में तो मैं यह कह सकता हूं कि यह विधेयक जो यहां पर प्रस्तुत किया गया है जो समझौतें में बातें हुई हैं वह पूरा पूरा समझौता ग्रमल में या सकेगा इसके लिए इस में प्रावधान किया गया है। मैंने इस विधेयक की सभी धाराग्रों को तथा उपधाराध्यों को बहुत गम्भीरतापूर्वक पढ़ा है और मैं इस निष्कर्ष पर पहुंचा है कि विधेयक निर्दोष है और इस में कहीं पर दोष हमें दिखाई नहीं पड़ता है। इस विधेयक के द्वारा जो हमारा श्रासाम का समझौता हुआ है और जिस के द्वारा आसामकी समस्या का स्थायी रूप से निराकरण होने जा रहा है, इस विधेयक के द्वारा उसे पूरी शक्ति मिलेगी, ऐसा मेरा विश्वास है । मैं माननीय सदन का अधिक समय न लेते हुए इतना ही कहना चाहंगा कि भारत जैसे महान राष्ट्र में; भारत जैसे विकाल राष्ट्र के कीवम में

श्री रुद्र प्रताप सिंह] सदैव समस्याएं बड़ी समस्याएं प्राती रही हैं और भ्राती रहेंगी। प्रश्न केवल यह है कि हम उन बड़ी समस्याओं को बड़ी चनौतियों का किस प्रकार से सामना करेंगे तो प्रवन परिस्थितियों का नहीं है प्रशन हमारे द्ष्टिकोण का है, हम किस द्ष्टि-कोण से परिस्थितियों का सामना करना चाहते हैं और किस दृष्टिकोण से हमें राष्ट्रीय समस्याओं का निराकरण करना है किस दिख्योग के साथ हमें समस्याओं का समाधान करना है। इसके सम्बन्ध में हिन्दी की एक क्याई पढ़ कर अपनी वात को समान्त करूगा।

> पडे मुसीधा मूझ पर इतनी सभी मुसोबत कम हो जाए,

थके न दिल की कभी जवानी चाहे सांत खत्म हो जाए

दुब की ज्वाला में तप तप कर इतना लह गर्म हो जाए.

कि पर्वत पर मैं पांच प्रकंतो वह भी जरा नमें हो जाए।

नले त्रावा है इस भावना से हम काम करेंगे और बासाम की बाधिक, सामाजिक, राजनैतिक, सांस्कृतिक समस्त समस्याओं का हम निश्चित रूप से निरा-करण कर सर्वेगे । धन्यवाद ।

भी भंबरदाल पंबार (राजस्थान) : उपसमाध्यक्ष महोदया, में इस विल का स्वागत करते हुए समर्थन करने के लिए खड़ा हुया हं। अभी नाननी महे टेजरी बैंचेज से माननीय सदस्यों संविधान और सिटीजनशिप एक्ट के प्रावचानों का हवाला देते हुए इस बिल का बैचना एवं भावस्थकता के बारे में तो विवचन कर दिया है उसकी पूनरावृति न करते हुए केवल माननीय दिपक्ष के सवस्यों द्वारा जो विरोध प्रकट किया गया है उसके संदर्भ में जो मोटे रूप से दो मुद्दे उठाये गये हैं उनके बारे में दो शब्द कहुंगा । पहला जो मुद्दा उठाया गया है वह नागरिक के डिटेक्ट होने के पन्नात् 10 ताल की प्रवधि के बाद नावरिकता देने बाबत जो मसला है उसके लिए उठाया गया है भीर दूसरा है दोहरी

नागरिकता हो जाएगी इस बाबत की विपक्षी सदस्यों ने कहा है। जो व्यक्ति श्रपनी स्वयं की इच्छा से सन् 1950 से 1966 तक भारत से बाहर रह कर वापिस भारत में ग्राया है ग्रीर 16 साल तक भारत के साथ जुट कर नहीं रहा है उसको वापिस नागरिकता देने पर 10 साल की जो श्रवधि इस में बताई गई है यह प्रनुचित नहीं कही जा सकती है। यह बिलकुल ही उचित है, उचित श्रवधि है और समयानुकूल है। दूसरा महोध्य, जो दोहरी नागरिकता का मेरे लायक साथी भारतीय जनता पार्टी के श्री जसवंत सिंह जी ने मुख्य रूप से मुद्दा उठाया इसके बारे में मैं यह कहना चाहंगा कि उनकी पार्टी का ही मानस प्रारम्भ से यह रहा है। कांग्रेस पार्टी का कभी भी इस प्रकार की दोहरी नागरिकता का मानस नहीं रहा है, आपने देखा है और भारत को अनता आनतो है कि वर्तमान भारतीय जनता पार्टी जो पूर्व में जनसंघ थी अपने राजनेतिक गुरू आर० एस० एस० के माड्यम से भारत को जो सेक्यूलर स्टेट वनाना चाहती थी उनके दिमाग में ही दोहरी नागरिकता की बात रही है। वह बात श्रमी भी परिलक्षित हो रही है। महोदय कांग्रेस ने जो संविधान दिया वह नोन सेक्यूनर स्टेट का दिया और अब तक उसी प्रकिया पर चल रही है और यह जो बिल ग्राया है वह शपने भारत के युवा प्रधान मंत्री जी ने ग्रासाम का जो एकाड किया है उसकी कार्यरूप में परिणत करने के लिए है। इसका मैं स्वागत करते हुए समर्थन करता है। धन्यवाद ।

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): Sangma, how long will you take?

SHRI P. A. SANGMA: I can finish, may be, in ten minutes.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): You may reply to the debate tomorrow... discussion on this Bill is concluded and the hon'. Minister will reply to the debate

Now we shall resume the discussion on the Calling Attention Motion.

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श्री ग्रश्विनो कमार: माननीय उप-सभाइयम महोदब, ग्रापने ग्राज 6 बजे मुझे इस विषय पर बोलने का समय दिया इसके लिए मैं आभारी हं, सौभाग्य है मेरा इस समय केवल एक वास मैं आपके माध्यम से इस सदन में रखना चाहता हं कि 20 नवस्वर को इसी सदन के अंदर एक भाटं इय्रेशन डिबेट हमा था "सिचएशन 'ग्रराइजिंग ग्राउट न्नाफ स्टीप राइच इन प्राइसेज जाफ इसेंगियन कमोडिटीज", जब यह उप-भोक्ताओं का प्रका था तो उस डिबेट के लिए सदन ने लगभग 4 घंटे का समय दिया था और आज संयोग ऐसा हैं कि यह किसानों के मसले का प्रश्न हैं, डेढ घंटे का समय प्रातः मिला है ग्रीर अब गायद मेरे बाद कोई बोलने वाला है भी नहीं यह प्रश्नवाचक चिन्ह है। यह विचित्र संयोग इमारे सदन के ग्रीर हमारे देश की उस चीज को परिनक्षित करता है, सरकार के कार्यक्रम को परिलक्षित करता है कि जब द्विसान का विषय भाता है तो उसके लिए समन नहीं हैं, समन अवूरा है।

क्रवत्रबाध्यक्ष (भी पवत क्षार वासन) : आप पुरा ले लीजिए ।

ओ ग्रश्विनी कमार: ग्रीर जो सरकार की पढ़ित चल रही है (ब्यवधान) भ्राज जो स्पष्ट हुमा है उसके मागे से अनुभव हो रहा है और जो नोतियां भी दिखती हैं, जहां तक किसान का प्रकृत है, किसान के पिछडेपन को दूर करने के लिए चान सरकार की नीतियां कारगर नहीं हो रही हैं। आज गन्ने के दाम का प्रकन है जिस विषय पर चर्चा हो रही है सबको पता है, ग्राम ग्रांकड़े सब लोग जातते हैं. पिछले 3 वर्षों में महंगाई लगभग 50 प्रतिशत बढ गयी है, अन्य जो बाबान है उनके दाम बढ़ते गये, बरकार बनको बढाती गयी है परंत जब

चीनी, भूगर केन का प्रश्न द्याया तो उसके लिए सरकार मौन रही । कुछ सरकार ने खेती के ऊपर ध्यान दिया 80-81 में गेहं का दाम 117 था, 84-85 में 152 हो गवा, धान का दाम 105 था, 137 हो गया बीर गन्ने का 13 से 14 हो गया बर्बात् गन्ने के किसान के लिए कोई मृविधा प्रदान नहीं की गयी भीर जब यह नयी सरकार बनी तो इस समान नये साल के प्रदर बापने एक काम जरूर किया कि एग्रीकल्चरल प्राइस कमीशन का नाम बदलकर कास्ट एण्ड प्राइस कमीशन रख दिया । इससे प्राप्ता ज्यी कि शायद कास्ट देखी जायेगी कि किसान की कितनी लागत आती है । परंतु आज ऐसा लगता है कि उस और कोई भी सरकार का एक नहीं छठाया गया है भीर बड़ी हापा करके 14 से 16 करने का एक दान दिया गया है, किसान को दान दिया गया है । देश की 70 प्रतिशत जनता को इस प्रकार से दान देना जो सबको खाना खिलाते हैं केवब किसान ही नहीं है।

Matter of urgent Pubhc

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मैं ग्रापके माध्यम से सदन को यह भी स्परण कराना चाहता हूं कि 70 प्रतिगत किसान देश का सब से वड़ा उपनोक्ता है। भगर इसके पास सम्पन्नता श्रायेगी तभी श्रापका कपडा विकेगा और बाकी चीजें बिकेंगी । परन्त ऐसा लगता है कि उस घोर महान दुर्कक्य होता चला जा रहा है। इसी बीच गन्ने का दाम तो बढ़ाया ग्या, पर साथ ही आय चीनी मिन व लों को भा सविधाएं प्रदान की गई। उनका दाम लेबा का जो परसेंटेज था 65 से 55 परसेंट **बर दिया गया, 40 पैसे वहां दाम बढ़ा दिए** गएं खुले बाजार में बेचने का छट दो। कई माननीय सदस्यां ने भा कहा है, पखबारों में निकला है कि एक आईर से दाम बढ़ाने से चीली मिल तालको को लगभग 500 करोड रुपये की स्रोमदनी हो संकेगी। दिलान को किस रा दिया, यह सोचने की बात है पिछले तीन वर्षों के अन्दर जो फार्म की इ पटस हैं जो चीजें विद्यान के उपयोग आने वाली है जो आपके हाथ में है, पानी का दाम, विजली 📉 हाम, फार्मेख इनपुरस कष्टिलाइकर, रैक्टर, डीजल इंजन इन के दाम िचार बद ः । अगर उन के सबका