[Shri K. Mohanan]

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name of the land has emerged from the term 'kera'. Kerala means the land of kera, coconut. Madam, coconut is the backbone of the economy of Kerala. It accounts for 26 per cent of the total agricultural income of the State. About population out of 2.5-crore 1-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 down due to acute drought, and the price had gone up to Rs. 4,000 per 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, Madam. This is connected with sugar. These are all connected with sugar.

THE DEPUTY CHAIRMAN: Here we are talking only of sugar.

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 growern of this country. This is the reality.

Discussion not concluded

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: 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 ग्रश्विनी कुमार (बिहार) : माननीय उप सभापति महोदया

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

THE DEPUTY CHAIRMAN: The House is adjourned till 2.30 F.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, on 15th August, 1985, the representatives of the Government and the leaders of 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, 1985.

2. Assam Accord is a political settlement of which the core is the clauses relating to the foreigners issue. Accordingly, it is proposed to enact the Citizenship (Amendment) Bill, 1985 to give a legal shape to the clauses 5.1 to 5.4. 5.6 & 5.7 of the Accord relating to the foreigners issue. The procosed legislation which is by way of amendment to the Citizenship Act, 1955 and seeks mainly to insert a new section 6-A in the Principal Act deals with the following two categories of persons of who came from erst-Indian origin while East Pakistan, now Bangladesh, to Assam: --

The Citizenship

- (i) Those who came prior to 1-1-1966; and
- (ii) those who came between 1-1-1966 to 24-3-1971 (both days inclu-
- 3. The satient teatures of 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 Banghedesh (including those whose names were in the 1967 electoral rolls) and who have been ordinarily resident in Assam since the dates of their entry into Assam shall be deemed to be citizens of India as from 1-1-1966.
    - 3.2. For every person of Indian origin who came to Assım 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 holl 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 shall 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 deemen 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 of the tribunal constituted under Foreigners (Tribunals) 1964.

The proposed amendment will not affect any person who prior to commencement of this enactment citizen of India. The benefits of 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, stipulates that persons of Indian origin who came to Assam from the erstwhile 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 from 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 the House.

The question was proposed.

K. MOHANAN (Kerala): SHRI Madam, even at the stage of introduction 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 1966 and 1971, who include those who were voters and exercised their voting right in 1967, 1971 and 1978. The validity of these lists of voters never been challenged even by AASU leaders at that time. But now what is the situation? A right which 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 to India as refugees. 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 were settled in Assam and other parts of the country were naturalised and their names were included in the Voters' Lists and they had exercised their franchise more than twice. Now, Urough 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.

After the division of our country in 1947 into India and Pakistan 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 are 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 to the stand taken opposed them to disenfranchise the so-called foreigners. The then Prime Midister. Mrs. Indira Gandhi, called a meeting of all the Opposition parties and consensus was arrived at. It was to make 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 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 I do agree that the peodangerous. ple of Assam have their own grievthe grievances ances. But to solve of the people of Assam. will action not of yous in any manner. I would like to know what prompted the Govern-

ment to go back on the promises that were given to the minorities of Assam by our late Prime 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 don t think even the Congress-I Party would concede this position, that is, that these AASU leaders are the sole represer 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 As-At least we cannot, my party cannot, accept this position that they are the sole representatives of majority of the Assamese people.

The Assam movements was actually recading, 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 already utilised voters' list. This action of the Government is quite an arbitrary action and, as I have alreadymentioned, it will create new problems and it will be harmful to the
unity of this country. So, Madam, I
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 (Ultar Pradesh): Madam Deputy Chairman, 1 rise to support this Citizenship (Amendment) Bill, 1985.

Madam, it is rather unfortunate that our Opposition friends do want to see reason anywhere. 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 Accord that this Bill has been brought forward before us for 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 franthose who came chise. I mean 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 to 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 P. N. Sukul)

has been the Punjab agreement. He has been able to solve the Assam problem that had been there for the last flive years and the entire nation was rather restless, anxious and concabout what was happening erned there. Then our Prime Minister has been able to clinch the issue stir in Gujarat. anti-reservation 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 fact, there is nothing in this Bill, simple, innocuous Billthat is going to give a practical shape to the Assam that should be criticized or accord. 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 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 I said, there has to be a demarcation,

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there has to be discrimination, there has to be a distinction, between these who are citizens and who are not citizens. Parliament is fully competent to lay down rules in this behalf or to lay down guidelines in this behalf.

Now, the question remains of those who came on or after 25th March, 1971. 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 the minorities. Our rule is the same for the minority and the majority. And I think that most of those people who have come after 1971 belong to the majority community, not to the winority community. So the real thing is of concern to those people who have came after 1971, and who have to be expelled from the territory of Iridia. This has posed some problems, because in this case I have my own apprehensions also. Suppose the Bangladesh Government does not accept them back, what will you do? Are you going to force them into Bangladesh? Bangladesh is opposing even the erection of barbed wire fencing ( ... the 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 bucden. They are bent upon this. They will not accept them .Are you going to tight 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 case the burden will have to be shared by the West Bengal Government. The West Bengal Government is already agitated about it because lakhs and lakhs are there lying in camps. Since they are 313

Bengalis. they generally want to remain in Bengal or on the periphery of Bengal. The real problem is for West Bengal. These people will somehow be going there. But that won't solve the problem. If they are not citizens in 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

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.

anywhere in the country. Unless they

are made the citizens of India they

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 Parliament was adjourned after 8 or 10 days. Now this is the very next session in which we are meeting. In this very session our Government has brought this Amendment Bill. is wrong about it? Our Government wants to give a practical shape to the Assim 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 opposition friends are feeling otherwise. So, there is a lot of difference between what they say 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 be ensured at all costs that no more people are allowed to come over to Ind': from Bangladesh. This can be ensured perhaps only by erecting the barbed wire fencing as early as possible. 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 are 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 appease them on to point. As I said earlier, the citizens of India are free to settle anywhere. If our Constitution 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 and who have been there for the last ten or twenty years, are able to cast their votes just as any Assamese living in Delhi are able to cast their votes. So, this should not be agreed upon at all that any other people from any other State of India will also not be made to stay there. Our Comrade Mohanan was saying that we are trying to create two types of citizens. We are not trying to create two types of citiwhen On this day taking this decision only are kind of people will be deemed as citizens of India; the others will be liable to be made the citizens of India after ten years of detection. So, two kinds of citizenship do not exist at all and do not exist simultaneously. 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 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 to where the B.J.P. stands as far as the

Memorandum of Settlement. commonly called the Assam Accord of 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 here on the floor of the House and outside of the House. We believed that consequent upon the settlement, there was need for a more effective implementation of the settlement iiself and for certain subsequent steps. In fact, participating in the debate on the occasion when the announcement was made about the Memoradum of Settlement, I had cautioned the Government and had drawn the Government's 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 Gove nment 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 recomof electoral revision mending like 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 will come to it a little later. There are three particular difficulties. Constitutional difficulties, that, I believe have arisen as a result of this Accord and these relate to article 11, article 14 and 19 and article 29(1). I do not

(Amdit.) Bill, 1985— Discussion not concluded

want to labour on these points. I am sure the Government will be bet'er able to answer those. I will very briefly come to what I have to say 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 is the prerogative of Parliament to regulate the whole question of citizenship. But I do not think this article 11 or even Parliament is permitted to provide for different classes of 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 with being a citizen, as indeed responsibility of being a citizen, which is an aspect which is post-1980 endment to the Constitution. So a auestian does really arise and I 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 of equality before law, or if he or she is told that she might enjoy all of citizenship but not other rights have the right of franchise? Now, we are creating in the process a practical necessity, to better implement the accord, we are creating a category of citizens as separate, and distinct. about the practical necessity of which 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 fundamental rights citizen without Just let me examine the whole proposition in one or two sentences.

The very same entrant into India between 1966 and 1971 whom you debar from the exercise of franchise

in Assam may emigrate to adjacent Bihar, to nearby West Bengal, to Andhra Pradesh, to Rajasthan. 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 undrum and the Government wili have to apply itself to this particular aspect. I do not think that the mere fact that the revision of electroal 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 also.

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 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 considerable interest and study for me. As far as the implementation of the Accord is concerned, for 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. mention that we recommended that for a more effective and more long-term solution of the problem of illegal immigrants in to Assam, vou have to consider. 3 or 4 proposals which I would like to repeat. First is the in-

Shri Jaswant Singhl troduction of identity cards in 411 sensitive border areas; secondly, special census in Assam followed by once and for all the elimination illegal immigrants from our rolls the revival of a national register of citizens in this region. Next suggestion that I have to make is now the fit time to ban regularisation 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 Meghalaya or anywhere. It is surest way of controlling in one stroke and solving two problems; one relating to illegal immigration and numher two, the terrible descreation the great wealth of North-East. its forest wealth.

I would like to conclude sentence now. My hon, friend and colleague from the Treasury Benches mentioned and illustrated that iab has been solved. that Assam been solved, that Guiarat has been solved. I would like to caution my colleagues about mistaking between **c**olutions to problems and moving solutions. Indeed. the towards in Punjab or in Assam or in Gujarat. is a movement towards solving fundamentals of that region, of State. We would be mistaken if thought that in the particular act of signing the memorandum or arriving the problem itself in at an accord. Assam of illegal immigration, has been resolved. It is but a first, a very welcome, a very belated, but just the first step towards solving that problem. Therefore, I would appeal to the Government to make a distincion and to recognize what the distinction is between a politician and a statesman A politician looks only for the next election; a statesman looks generation. In Assam, we for the next need an approach which looks for the next generation.

SHRI BAHARUL ISLAM (Assam): I rise to support his Bill. This Bill is nothing more than to give legal sanction to the Assam Accord. Assam accord is a political document and without the Parliament's legal sanction, it has no value.

Before I 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. 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 us start from 1971". She did not use the word 'cut-off' 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 East Bengal Province of Pakistan and they were citizens 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 country, because they do not have the country of their origin. Some 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 bv the Muslima Personal Law. Tomorrow, change my religion. From that moment, I will lose my earlier legal identity. 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 why Mrs. Gandhi said that we should start from 1971. Of course, the persons who have come after 25th March, 1971, would be citizens of Bangladesh. It may be legally—may not be physically—possible to deport them to that country. This was the reason.

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. I will give facts and figures, which will show that so far as the elections are concerned, it will be to the detriment of the party 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 Inauary, 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 India, the Supreme Court will perhaps strike down this law for the reason that you cannot have two classes of citizens, covering different periods. But their premise is wrong. We will have to All these people examine that premise. 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 all 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 that, my argument will be incomplete. I will say that, how their names were included in the voters' list. As I said, these people came and for all practical purposes. they were treated as Indian citizens. They were de facto 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 enumeration is done by some school teachers and such other persons, who go from house to These people prepare the list. house. Then, claims and objections are invited and finally, the list is published. These people who do the enumeration do not have any legal or Constitutional idea of citizenship.

SHR1 K. MOHANAN: For the last twenty years?

SHRI BAHARUL ISLAM: That is what I 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' list, 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 of 'citizen' under article 5 and 6 of the Constitution till the enforcement of the Constitution on the 26th 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 ctilzens articles 3 and 6 of the Constitution or not. If you 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 vou are not a citizen of India, and, therefore, you are a foreigner. A foreigner has been defined in the Indian Foreigners Act

mise.

[Shri Baharu] 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, you are foreigners. If we examine this aspect legally, you will be found as foreigner 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 citizens 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 and 1971 5,45,000. These are approximate figures. There may be errors here there, subject to correction. The comes to 20,78,000 people. So, the sulution 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 citizens and for all practical purposes we declare them under clause 2 of 5.6A as full citizens with retrospestive effect from 1st January, 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 right of franchise for 10 years. Thereafter they will retrospectively be citizens. 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 vou did nOt get your name registered and you did not get your 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 compro-

Now, it cannot be understood how on the one hand you are welcoming the 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 section 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 Assam was burning. turmoil in Assam. 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 full citizens with effect 1966 was nearly 1st January, 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 Jose their right of franchise are about 2,34,000. The gain is much more: the loss is less. Now for this purpose if the party in power would not have come with this Bill today but would have come in the next Budget section, possibly they would have got more votes. Now it is said in all newspapers and other places that these minorities are the vote banks of the Congress Party. If 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 there is nothing wrong. It is for a very good purpose and it should be welcomed by all. What is of utmost importance, of basic and fundamental importance for the Government is to perpetually stop illegal immigration from outside to not only Assam but to the entire Eastern region plus West Bengal,

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Discussion not concluded

Otherwise there will be more trouble ahead.

Thank you very much.

SHRI P. BABUL REDDY (Andhra Pradesh): Madam Deputy Chairman, this is a small Bill aimed at amending the Citizenship Act. It is beyond dispute that this amendment is brought forward with view to implementing a portion of the Assam Accord. Madam, the hon'ble Member, Shri Sukul, when he was speaking, took exception to what was said in the other House that there is some political 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 is difficultty. no But the point 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 or 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 back this time. It was on the agenda; it was pushed back. When thousands of cases, in fact lakhs of cases are accumulating in various courts, particularly in the Supreme Court, that Bill is pushed back. This Bill is pushed forward. What for? Mr. Sukul must concentrate on this.

The Vice-Chairman Dr. (Smt) Sarojn; 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 point.

The point is-my dear friend, Mr. what is the Sukul, please concentrate 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 or atfer 1966 and came before 1966 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 I 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 educational and, also, social, cultural, linguistic identity of those people - a very 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. technologica] advancement and establishment of a National Institute. Nothing is said about it. Then, more important than all these things is, all-round 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 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 other State in country is blessed with Nature's 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 asked, "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 to give them citizenship "Look at this. We have already made a Bill. The Presidnet himself has signed it. Some of you are deemed citizens already, 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 already in the Accord... (Interruptions).. The whole thing was in the Accord.

shrip. Babul Reddy: An award is an award; it is not law. It is only a promise. You 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 I am coming to the merits 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 is 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. In the Constitution there are certain rights avulable 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, I would say this, article 15. It is available only to citizens, That is no discrimination on grounds of race, caste or sect or religion. It 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 advocate working there. He is eligible for appointment as Judge. Can you appoint him as Judge? Article 217 (2) says that only a citizen of this country can be appointed as of a High Court, and only a citizen can be appointed as Judge of the Court according to article 124(3), So, you cannot say that by saving this all rights they will enjoy. They would not be able to enjoy those rights that are conferred

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

Then, I will point out one more defect. The Bill 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 see the point I am 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 means that about 6.66,000 people you have to make enquiries. The Tribunal will detect one man today, another man 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 hell rings) You can give one date. Irrespective of when detection takes place, he should i 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 in the erstwhile Pakistan and the exemplary working of the Indian society had always motivated a very 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.

True to the spirit of Pandit Jawaharlal Nehru's words at the time of country's partition in 1947 to which, Mr. Mohanan while initiation the debate referred to, we treated the people crossing over to this country as our brothers and with them we shared their feelings of agony and sorrow.

But to our dismay, the influx of people crossing over from the erstwhile East Pakistan later on christened as Bangladesh continued unabated and serious repercussions for us at our home. The people of Assam felt that they were be overwhelmed by the gnicg to 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 at India's multifaced progress, have always pired to destabilise the country. 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 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 significantly to its economy that may be the axe would fall on them as well. development was a serious challenge to our efforts to strengthen national integration and build a strong nation free from 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 take shelter in India, but the Assam agitation defied every solution. A long drawn out

### [Shri Pawan Kumar Bansal]

agiation had a telling effect on our own lifie

The Citizenship

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 Independence 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. Babui 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 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 of 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 were to brought in after 5 years from now. Madam, I humbly feel that the Bill, as it is brought 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 us as far as Assam issue is concerned is that of the foriegners 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 the 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 1966 and settled in Assam have outrightly been conferred the right of citizenship 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 of 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-Muiib 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 of Assam Accord is that any person migrating to India after the commencement of the Constitution i.e. 26th January, 1950, does not ipsofacto get the right of citizenship of this country Article 11 of the Constitution, 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(A) 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 suffrage. That is a right which accrues to every citizen above the age of 21 years, to be registered as a voter for the Lok Sabha or for the State Legislative Assembly.

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

SHRI PAWAN KUMAR BANSAL: Clause 2 of the present, Bill, wnich seeks to insert this section does not intend to deprive any citizen of India the right to vote as enshrined in Article 326 but clearly and unambiguously provides that a person detected to be a foreigner, in accordance with the provision of foreigners Act. 1946 and the foreigners (Tribunals) Order 1964, who had come over to Assam from the specified territory, during the relevant period i.e., 1966 to 1971 shall have the same rights and obligations as a citizen of India 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. Excepting this, they have been granted all other rights of a citizen of India. I do not see how this provision contravenes the Constitution, as alleged. On the other hand, the present amendment, when brought on the statute-book would every uncertainty which shrouded the fate and future of the people of Indian origin who came from East Pakistan or Bungladesh.

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

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legality of the situation we can appreciate only if we remember that mere inclusion of a name in the 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 if 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.

To conclude, Madam, I would humbly say a word about allegations that the present Bill, in fact, has encouraged secessionist tendencies. humble submission is that it was precisely to curb and contain such tendencies that the present Bill 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 now 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 I would support Mr. Babul Reddy, that no effort should be spared to ensure that the people of Assam enjoy allround 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 support this Bill. It is no doubt in strict adherence to the clauses of the reached between the Government 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 since 1980 has been removed by 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 outcome matter It is an of a compromise between the two sides. In any compromise you know, there will be no complete success 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 achievement 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 ing the English period. In 1951 nearly 14.4 per 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 is In 1981 alone nearly still continuing. 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 a foreign country. Therefore. our Assaurise people have every right to

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fight against the foreigner, to resist the influx of people from Bangladesh. tunately the issue has now been by our Government. On the basis of the Memorandum of Settlement the honourable Minister has moved this Bill. purpose of the Bill is to insert a section in the principle Act so as to regularise the immigration of persons came to India prior to 1-1-1966 and between 1-1-1966 and 24-3-1971. Some apprehensions have been raised in regard to the second category of people. i.e. the people who came to India between 1-1-1966 and 24-3-1971. According to me the fear is baseless and even meaningless After ten years these people are going to get their full rights. Even ducing these ten years they are not at all. losing any rights except the right to vote in an election. Another apprehension is the validity of law. Parliament has every right to regularise the rights of the citizens by law under Article 11 of our Constitution. So there is no room. for any doubt in regard to the validity of In fact, we must appreciate this Bill. the Government of India and leaders of Assam agreeing to grant this concession to this extent. It is not a matter denying the right to our own people to our own native people. It is a matter of concession to the foreigners. So there has 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. unfortunately it has But developed as a dispute between the foreign minorities and the people of Assam. It is 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 Bang'adesh. Instead we are compelling matives to accommodate these foreigners here. This is the paradox in this prob-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 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 of our Government. In other words, we are en-

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Discussion not concluded

4 P.M.

thusiastic in giving citozenship rights to the foreginers. My humble submission, Madam, in this context is that we are not showing the same enthusiasm and interest in asking the Government of Sri Lanka to give citizenship rights to the Tamils 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): Mr. Hashim Kidwai. Not here. Mr. Ansari.

श्रो हयातुल्ला ग्रन्तारी: (नाम-निईशित)
मैडम वाइस चेनरमैन. जो बिल ग्राया
है वह बहुत कांग्रेहेंसिव है ग्रीर बहुत सी
बातें उस में साफ कर दी गयी है।
फिर भी मैं चाहूंगा कि चन्द बातें ग्रीर
मिनिस्टर साहव साफ कर दें।

उन्होंने कहा है कि राइट टु सिटिं-जनिका रहेगा लेकिन वोट का राइट नहीं रहेगा तो क्या उन को सर्विस का राइट रहेगा? ग्रगर रहेगा तो उस की देखभाल कौन करेगा? मैं यह बात इस लिये कह रहा हूं कि माइनारिटीज को गवर्नमेंट सर्विस मिलना बहुत मुश्किल होता है ग्रीर ग्रगर इस बात के लिये कोई रोक्याम नहीं रहेगी तो बहुत मुश्किल हो जानेगा ग्रभी जैसा कि हमारे एक ग्रपोजीकान के दोस्त ने कहा है कि ग्रगर कोई वकील बहुत पुराना हो तो क्या ग्राप उस को जाज बना देंगे? इस बात को मिनिस्टर साहब साफ कर दें तो ग्रन्छा 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 आये हैं, यह हम ने माना है यहां आ कर उन्होंने शादी 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

राइट कब मिलेगा प्राप 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 आप उन को यह राइट कैसे देंगे और कब देगे। ऐसे वहुत से केमेज आप को मिलेंगे कि वहा की लड़की और यहां का लड़का, और उन होतों वी शादी हो गयी और दोनों से बच्चे हुए। वे बड़े हुए तो उन को क्या वोटिंग राइट दिया जायेगा? क्या सोचा है आप ने इस के वारे में?

यह बात भी मैं बता दूं कि फारेनर्स यहां आये हैं और जब उन को सिटीजन-शिप 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 सिटीजन मान रहे हैं। अपर उन को आप सिटीजन नहीं मान रहे हैं तो उन को पासपोर्ट कैसे देंगे। अपर उन को आप ने सिटीजन माना है तो उन को गवर्नमेंट सिवस मिलनी चाहिए। दूसरी बात मां-बाप की है उन में अपर एक इंडियन है और दूसरा बंगला देजी तो उस का आप क्या करेगे? इस बात को भी आप क्लियर की जिए।

बड़ी चीज यह है कि जिस की तरफ मैं खास तौर से ग्राप का ध्यान दिलाना चाहता हं कि खाली यह डिक्लेयर कर देना ही काफी नहीं है। आराप को इस के लिये एक बड़ी मशीनरी वनानी पडेगी कि वहां के सिटीजन सिटीजन समझे जायें इस निये कि जो हालात हैं उस में माइनारिटीज को बहुत परेशानी होती है। ग्राप जानते हैं कि कितने ही डिक्ले-रेशन हुए उर्दू के लिये. लेकिन ग्राज भी वह फारेन लेंग्वेज ही समझी जाती है। उर्द पैदा यहां हुई, यहीं बड़ी हुई, फली, फूली, लेकिन आज भी उसको सब फारेन लेंग्वेज मानते हैं ब्रीर वह फारेन ही समझी जाती है तो कह देना काफी नहीं है कि वे सिटीजन माने जायेंगे इसके लिये सेंट्रल गवर्नमेंट को कोई

## [श्रो हवात्त्वा अन्सारो]

भाशीनरी बतानी पड़ेगी. उतका देखभाल के लिये, नहीं तो एक अपलग नय: सेच्येशन पैदा हो जायेगी ग्रौर यह सारा **∞माम**चा यहीं पर रुक जायगा।

दुसरी बात मुझे यह कहना है कि में 1964 में ग्रांसाम का दौरा कर चुका हं ग्रीर वहां के सातो स्टेट्स को प्रलग , प्रलग देख चका हं ग्रौर मैंने देखा है कि वहां उस वक्त भी, प्रावलम हो चकी थी लोग ग्राजा मैं एक स्होरी बता दं मैं मणिपूर गया था डांस के सीजन में वहां एक लडकी भ्रायी ग्रौर उस ने डांस किया ग्रौर उसे बहुत पसंद किया गया ग्रीर वहां ग्रगर नौजवान लडका किसी को पसंद करता है तो उस से गादी कर लेता है वह उसे इलोग कर के ले जाता उस के बाद वह किसी लड़के के साथ चली गयी तो मालूम हुआ कि वह तो फारेनर थी बंगना देश से ग्राई थी। कैसे ग्राई थी यह नहीं मालुम । वह सीमा पार करके ग्राई था। ऐसे और भी भाते हैं उनको वापस भेज देते हैं ग्रौर वे फिर ग्रा जाते हैं ग्रौर उनको वापस भेज देते हैं । उन्होंने हमें यह बताया कि यह तो रोज ही आते रहते हैं स्रौर रोज ही उनको वापस भेजते रहते हैं। मुझे मालूम हुम्र। भो होता है वहां पर । इधर से सामान उधर जाता है ग्रौर उधर से सामान इधर म्राता है। यह मिलसिला भ्रसम में है । मणीपूर, टैन्शन पैदा करता मेघालय में भी वाहर से लोग ग्राते हैं। लेकिन यहां पर जुबान की प्रोबलम रहती है। क्योंकि यहाँ पर उनकी जुवान नहीं चल सकती इसलिये यहां पर इतने नहीं म्राते । ग्रसम में जो लोग म्राते हैं ग्रौर वे ग्रगर ग्रयम भाषा नहीं जानने तो उनको वे विदेशी समझने लगते हैं इन्त्रपूडिंग बंगालीज । यह प्रावतम 64 में पैदा हो गई थी । उसके वाद एक और अजीव स्थिति पैदा हो गई। जब बंगनादेश वार हुई तो मुक्ति वाहिनी 120 मील ग्रन्दर चली गई थी। मेरी वड़ी इच्छा थी यह देखने को वि वह कसे लड़ते हैं। मैंने

यह सब देखा । हमने देखा कि भागने वालों में ज्यादातर हिन्दू थे । हमने पाया है कि सबसे ज्यादा हिन्दू की तादात थी ग्रौर उसके बाद म्सलमान श्राये हैं उसके बाद बंगाली । ग्रसम की तरफ हिन्दू ही ज्यादा आये । जब वापस गये तो मुसलमान तो चले गणे लेकिन हिन्दू वहीं रह गये। यह माइनोरिटी के कारण हैं ऐसा नहीं हैं। यह प्रोबलम जो है माइनोरिटी ग्रौर मेज्योरिटी की दोनों की बजह से हैं। नैपाली भी बहुत से स्राये हैं। एक टेन्शन इस वजह से भी पैदा हुई कि ग्रसमीज लोग नान भ्रसमीज को फोरनर लगे। यह ठीक है कि ग्राभी कुछ हो गया है । लेकिन एक करनी पड़ेगी कि ग्रापको एक कमीशन बनाना पड़ेगा । ग्रौर वह कमीशन ग्रसम में ही रहे सारी प्रोबलम को देंखे। श्रापने एक एक्ट बना दिया और इससे सारा काम हो जायेगा। पर इससे नहीं हो सकता । इसको चलाना मशीनरी का काम है । सैन्ट्ल गवर्नमेंट -को ही हिम्मत के साथ इस काम को करना होगा। इतना ही कह करता हं।

(Amdt.) Bill, 1985-Discussion not concluded

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश ): माननीय उपासभाध्यक्षा जी जो वर्तमान विधेयक है यह संविधान विरोधी है । भारत के संविधान में ग्रनच्छेद 326 में इस बात का प्रावधान है प्रत्येक व्यक्ति जिसकी ग्राय 21 ऊपर होगी उसको वोट का प्रधिकार इस देश में रहेगा ग्रौर वह देश का नागरिक होगा । लेकिन वर्तमान विधेयक को ला कर हमारे देण में दो प्रकार की नागरिकता कायम को जारही है। एक तो रिक ऐसा होगा जिनका नाम मतदाता सुची में होगा ग्रौर उनको वोट देने का भ्रधिकार होगा लेकिन दूसरे ऐसे व्यक्तियों की श्रेणी बनाई जा रही है जिनका नाम मतदाता सूची , उनके रोल में लेकिन 10 वर्ष तक उनको ग्रपने मत के ग्रधिकार से वंचित किया जायेगा । जब इस देण में अंग्रेज लोग थे और हमारे देण में विदेशी हकुमत थी उस समय भी इस देश में दो प्रकार की नागरिकता थी।

बहुत से ऐसे नागरिक थे जिनकी वोट देने का ग्रधिकार नहीं था लेकिन बहुत से ऐसे नागरिक थे जो एग्रीकल्चर इन्कम टैक्स देते थे या निमी दूसरे प्रकार का टैक्स देते थे, जिनकी ग्रच्छी हैमियत होती थी, उन्हीं को केवल वोट 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 निर्मातात्रों ने ग्रपने देश के नाग-रिकों को सबसे मूल्यवान ग्रधिकार दिया ग्रीर वह मुल्यवान ग्रिधिकार वोट देने का ग्रधिकार था । लेकिन इस विधेयक को ला कर भ्रसम के कुछ नागरिकों को भ्राप वोट देने का ग्रधिकार में बंचित कार रहे हैं हैं। जैसा शासक पक्ष की <sup>र</sup>ग्नोर से भी कहा गया है 15 श्रगस्त को जो एवार्ड हुन्ना, जो यमझीता हुन्ना उसको करने के लिये यह विधेयक लाया जा रहा है। लेकिन ग्रभी सदन के एक सम्मानित सदस्य श्री बाबुल रेडी ने अपने भाषण में इस बात की चर्चाकी कि श्रावश्यकता नहीं थी इस विधेयक को लाने के लिये, क्योंकि भ्राज श्रसम 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 श्रारहा है कि किस बात से बाध्य होकर सरकार ो इस विधेयक को लाना पड़ रहा है? हमारे देश में श्रासाम का जो सूबा है वहां लाखों ऐसे लोग है जिनमें श्रल्पसंख्यक लोग भी है। उनहीं वोट देने के अधिनार से वंचित किया जा रहा है। इस देश में दो प्रकार की नागरिकता कायम जा रही है। एक प्रथम श्रेणी के नागरिक जिनको वोट देने का ग्रधिकार होगा स्रौर दसरे वे नागरिक जिनको वोट<sup>े</sup>देने के अधिकार से बंचित किया जा रहा है। इसलिये मेरा अनुरोध है कि णासन को प्नः इस पर विचार करना चाहिये। इस विधेयक को लाने की कोई प्रावश्यकता नहीं है। दूसरी चीज जिसक़ी तरफ में ध्याः अक्षित करना चाहता ह वह यह है कि हमारे भारतवर्ष के प्रथम प्रधानमंत्री श्री जवाहरलाल नेहरू वयस्क मताधिकार

को बहत बड़े प्रशंसक थे। हमारी एनेक्सा में उनके जीवन को सिलिसिले में एक प्रद र्शनी हुई थी। उसमें उनका एक वाक्य लिखाहम्राथा कि किमी भी लोकतंत्री देश में ग्रौर विशेषकर भारतवर्ष में जो व्यस्क मताधिकार लोगों को दिया जा रहा है। इस वयस्क मताधिकार से भविष्य में भी किसी के वंचित नहीं किया जायेगा । ऐसा श्राश्वामन इस देश को प्रथम प्रधान मंत्री श्री जवाहरलाल नेहरू ने दिया था। ग्राजह स विधेयक को लाकर इस कानुन को लाकर और हमारे नाग-रिकदा नेप्तन में संशोधन करके भारत के प्रथम प्रधान मंत्री श्री जवाहरलाल नेहरू ने सारे देश को जो स्नाश्वासन दिया था उस आश्वासनको भंगकरने का काम इस सरकार को नहीं करना चाहिए। जो समझौता हुम्रा है उस समझौते को लागू करनेकेलिए, मैं फिर यह दोहराना चाहंगा क् इस विधेयक को लाने की स्नावस्थकता नहीं है। इसलिए इन गब्दों के साथ मैं इस विधेयक का विरोध करता हं ग्रौर ग्रामा करुंगा कि सत्तापक्ष के लोग कभी-कभी विपक्ष की बात मान लिया करें । विपक्ष जो उचित ग्रीर जायज मांग है उसको मानकर इस विधेयक को वापस लेने की कृपाकरे।

श्री ग्रानन्द प्रकाश गौतमः (उत्तर प्रदेश): माननीय उपसभाध्यक्ष महोदया, मैं इस नागरिकता (संशोधन) विधेयक के समर्थन में खड़ा हुआ। हं। ग्रापने मुझे बोलने का जो अवसर दिया है उसके लिए मैं श्राभार व्यक्त करता पिछ्ले दिनों श्रासाम की जो समस्या थी, वहां के नागरिकों को जो परेशानी थी उनसे हमारे सदस्यगण ग्रौर सदन पूरी तरह से अवगत है। इस दिशा में हमारी सरकार का जो प्रयास रहा है वह भी पूरी तरह से उसको हल करने मे रहा है। सरकार आसाम विदेशियों की समस्या के समाधान के लिए काफी समय से प्रयन्न शील थी। और

## श्री ग्रानन्द प्रकाश गीतम]

श्रामाम के छात्र संघ और श्रासाम गण-मंग्राम परिषद के लोग भी जो वहां पर इस अन्दोलन को चला रहे थे, इस समस्या के हल के लिए काफी इच्छक थे। श्रासाम छात्र संघ के द्वारा 2 फरवरी. 1980 को एक मेमोरेन्डम हमारी स्वर्गीय प्रधान मंत्री श्रंभती इन्दिरा गांधी जी के समक्ष पेश किया गया था जिसमें श्रासाम में लगातार विदेश। दवाव के कारण र(जनैतिक,, ग्रासाम की सांस्कृतिक एवं ऋाधिक स्थिति पर विपरीत प्रभाव पड़ने की ऋाशंका व्यक्त की गई थी । उसी आशंका को उचित ठहराते हुए स्वर्गीय प्रधान मंत्री श्रीमती इन्दिरा जी ने आसाम छात्र संघ ग्रौर ग्रासाम गणसंग्राम परिषद् के लोगों से बातचीत शुरु की और सन् 1980 ग्रीर 1983 के मध्य इस संबंध में कई उच्चस्तरीय वार्ताएं हुई । सन् 1984 में भी कुछ म्रनोपचारिक वार्ताएं हुई ग्रौर इसी प्रसंग में मार्च, 1985 में ग्रौपचारिक वार्ता हुई जिसके तहत 15 ग्रगस्त. 1985 को समझौता हम्रा । उसी मंबंध में, समझौते को काननी रूप देने के संबंध में. माननीय मली जी इस विधेयक को सदन के समक्ष लाये हैं। जब हमारी भृतपूर्व प्रधानमंत्रो स्वर्गीय श्रीमती इंदिरा गांधी जीवित भी तो उन्होंने ग्रासम की समस्या को बड़ी गंभीरता से लिया था। दुर्भाग्य से आज वह हमारे बीच में नहीं हैं। लेकिन उस चुनौती को हमारे सूयोग्य युवा प्रधानमंत्री माननीय राजीव गांधी ने भी ऋपूर्व दृढ्ता और साहस के साथ स्वीकार किया और शुरु में ही, 5 जनवरी, 1985 को माननीय प्रधानमंत्री जी ने अपने संदेश में कहा था कि असम के विदेशी नागरिकों की समस्या का समाधान करने के लिये हर सम्भव प्रयास किये जायेंगे । इस घोषणा के साथ उन्होंने इस सिल सिले में ग्रौर भी तेजी से बातचीत शरु की ग्रौर बड़ी गम्भीरता से इस मामले को लेकर श्रपने प्रयास जारी रखें। मार्च, 1985 को जब ग्रीपचारिक वार्ता हुई तो स्रासु स्रौर गण संग्राम परिषद् के सदस्यों के साथ बातचीत के दौरान समझौता हुआ ग्रौर उस समझौते को ग्रांतिम रूप दिया गया । उस समझौते को म्रांतिम रूप देने के लिये ग्रसम वैधानिक तत्कालीन समस्याम्रो संवैधानिक प्रावधानों, ग्रन्तर्राष्ट्रीय समस्याग्रों राष्ट्रीय संकल्पों तथा मानवीय स्राधारों को ध्यान में रखते हुए इस समझौत को ग्रंतिम रूप दिया गया । 1985 को लाल किले की ऐतिहासिक प्राचीर से प्रधानमंत्री जी ने इसकी घोषणा की । इस समझौते की घोषण। से सारे देश में एक शांति का वातावरण बन गया ग्रौर सारे देश ने राहत की सांस ली। यह जो. ऋाज का विधेयक है यह उसी समझौते का परिणाम है। (समय की घंटी) उस समझौते की बातो को कान्नी रूप देने के लिये. उसको वैज्ञानिक स्वरूप प्रदान करने के उद्देश्य से यह विधेयक आज यहां प्रस्तृत है, जिसका मैं हृदय से समर्थन करता है। प्रस्तुत विधेयक बड़ा सामियक है और असम के नागरिकों की हितों की रक्षा की आवश्यकता के अनरूप भी है जिसके लिये माननीय स्योग्य राज्य गृह मंत्री को हार्दिक बधाई देना चाहत। हुं। माननीय प्रधानमंत्री जी ने समझौता करके देश की एकता श्रौर श्रखण्डताको दृढ़ना 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 अपन्तर्गत जो बातें तय हर्र उसका दरश्रसल प्रचार एवं प्रसार सही रूप में ग्रौर संभवत: पूरी तरह से नहीं हुन्ना है जिससे लोग अलग-अलग तरीके से इसको इन्टरप्रेट करते है। कुछ लोग कहते हैं कि हमारे देश 🤡 दो तरह की. नागरिकता की गई है। श्रभी हमारे एक माननीय सदस्य ने यह भी कहा कि यह संविधान के प्रावधानों के विपरीत है, प्रतिकृत है। मैं समझता हं कि संविधान के श्रार्टिकल 326 में जो व्यवस्था है उसके हिसाब से यह जो मताधिकार है वह नागरिकों को दिया जाता है। (समय की 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 राइट्स हैं,

जो हमारे देश में नागरिकों को ग्रिधिकार प्राप्त हैं, उनको उन ग्रिधिकारों के उपभोग की पूरी सुविधा दी गई है । उन्हें नागरिकता का कोई प्रमाण पत्न नहीं दिया गया है । उन्हें दूसरी तरह का नागरिक नहीं माना गया है । (समय की घंटी) मैं समझता हूं कि यह बड़ा ही उचित संशोधन है । महोदया ग्राप वार बार घंटी बजा रहे हैं, मैं समझता हूं कि समय की कमी है ग्रीर इसिलए इन शब्दों के साथ मैं इस बिल का हार्दिक समर्थन ग्रीर स्वागत करता हूं।

**श्री सैयद श्रहमद हाशमी** (उत्तर प्रदेश): मैडम वाइस चैयरमैन जिस तरीके से यह पूरा म्रकार्ड जो गवर्नमेंट म्राफ इंडिया ग्रौर ग्रास तथा संग्राम परिषद् के दरम्यान हुआ ग्रीर जिस तरह से वह एक धोखा है एक फाड है, उसी तरीके से यह जो अमेंडमेंट लाया ंगया है यह भी फाड, धोखा ग्रौर ग्रांखों में धुल झोंकने के लिये है। इम्प्रेशन दिया जारहा है कि यह जो अमेंडमेंट लाया जा रहा है यह अमेंडमेंट इसलिए लाया जा रहा है कि माइनार्टीज है जिनका डिटेक्शन गैर-कानुनी कर के जिनको फ्रेंचाइज से महरूम किया गया है ग्रौर उनको फ्रेंचाइज का राइट नहीं दिया गया है उनके के प्रन्दर है हालांकि जो ग्रापका है उसके अन्दर इस वात का साफ तरीके में जिक्र किया गया है, उसके ग्रन्दर यह है कि इस ग्रकाई को इफेक्टिव बनाने के लिए यह विल लाया गया गया है। तो माइनार्टीज के इंटेस्ट के श्रन्दरयह बिल नहीं लाया गया है। दूसरो बान यह कि यह सब जानते है, हमारे बाद दूसरे दोस्तों ने भी कहा कि रूलिंग पार्टी ने माइनार्टीज के साथ वह चाहे स्रासाम के लिगविस्टिक माइन।र्टीज के लोग हों उनके साथ धोखा किया गया है। सन् 1983 के इलैक्शन के अन्दर जिस तरीके मे ब्रह्मपुत खून में नहलाया गया, नेली कारनेज का हादमा श्राज भी दुनियां के अन्दर इल्म में है और हिन्दुस्तान का एक एक बच्चा जानता है लेकिन बावजुद खुन में

नहाने के माइनार्टीज ने लिगबिस्टक माइनार्टीज ने कांग्रेस की इसलिए सपोर्ट किया था कि वह जो णुबह पैदा किया जा रहा है उनकी शहरियत के बारे में वह बाकी नहीं रहेगा और यह रूलिंग पार्टी जो अपना बाया कर रही है उसको पुरा करेगी। (उथवधान)

भी पशुपति नाथ सुकुल : लिगविस्टक माइनार्टीज का क्या मतलब है ?

श्री सैयद ग्रहमद हाशमी : लिगविस्टक माइनार्टीज बंगाली, नेपाली वगैरह है। तो क्राज यह महमूस हो रहा है कि जितना कुछ इण्योरेंस दिया गया था वह सारा का सारा गलत है। उसके ग्रन्दर सब से ग्रहम बात यह है कि जिस जमाने में स्रासु स्रौर गण संग्राम परिषद् का परा मदमेंट फेल हो चुका था साइकिया मिनिस्टी के ग्राने के बाद उस वक्त गवर्नमेंट ग्राफ इंडिया ने अपने को मरेंडर किया है। श्रापका 15 श्रगस्त को अकाई हुआ लेकिन 9 अगस्त को जो इंटरव्यू मिस्टर साइकिया चीफ मिनिस्टर का संडे मैग्जीन के छपा है मैं थोड़ा सा उस में हिस्सा पढ कर क्रापको सुनीना चाहता हूं। एक सवाल के जबाव में मिस्टर साइकिया ने कहा है,---

Uptil now, we in Assam, my Congress, the APCC, the ACLP, and our supoprters, we settle for 1971. Because of this, four Takkis of our people lost their houses. Even in those 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 4,000 innocent souls. With this feeling and sentiment, I do not know how the minorities will react if we go to some other date. I just do not know. ग्रलवला आगे जा कर के उन्होंने सरेंडर किया है ।

Whatever the Prime Minister says will be binding on us.

## श्री संबद ग्रहमद हाशमी

The Citizenship

श्राप गौर की जिए कि खुद श्रासाम का चौफ मिनिस्टर यह कह रहा है कि हालत न र्मल हो गये ग्रौर जो उनका मूवमेंट है वह खत्म होचुका है, बच्चे स्कूल आ रहे हैं, लोग इवादतगाहों के ग्रन्दर जा रहे हैं। माइनार्टीज को बिट्रे किया गया है, धोखा दिया गया है भ्रौर इसके बाद यह अकार्ड किया गया है। मैं ऋापसे एक बात ग्रीर श्रर्ज करना चाहता हूं। यह मसला नहीं है कि ग्रौर 1971 में जो बिटवीन 1966 लोग आए हैं अब यह अमेंडमेंट के जरिये से यह कहते हैं कि सिर्फ उन से बोटिंग राइट छीन लिया गया है बाकी सारे शहरी हकूक उनको हासिल हैं हम **कह**ते हैं कि यह विलकुल घोखा है। **जिन** लोगों का डिटेक्शन हुआ तमाम **इलॅ**क्शन कमीशन के ग्रोब्जरबेशन ग्रीर इल्लीगल इमीग्रेशन एक्ट 1983 के विडिक्ट ग्रौर सारे उसको बावलेट कर के बावजूद श्रापने जिस तरीके से डिटेक्शन किया है मैं किन लोगों म्रगर यह पूछूं कि डिटेक्शन किया गया है, हम समझते हैं कि रूलिंग पार्टी से ग्रगर पूर्छे कि क्या यह ग्राफ्टर 1971 है, ग्राप कहेंगे नहीं सब नहीं होंगे, बिफोर 1971 है, तो **ग्राप** कहेंगे सब नहीं होंगे। इसका मतलब यह है कि जो डिटेक्शन हुन्ना है वह बिफोर 1971 श्रीर ग्राफ्टर 1971 है, श्राप कम से कम यह कहेंगे। लेकिन कौन सार्ट हुम्रा म्राफ्टर 📭 म्रौर बिफोर 71 जिस जमाने में डिटेक्शन हो रहा था। भ्रापने ऐसा काइटरिया, सिटीजन-शिप के सबूत के लिये बनाया कि कोई क्रामाम का शहरी एविडेंस नहीं दे सकता था। म्रापने एकाध को कहा सिटीजनशिप सर्टिफिकेट लाम्रो, बर्घ सर्टिफिकेट लाग्रो, 71 वोटर लिस्ट लाग्रों करदीगई थी: श्रगर यही काइ-टेरिया बनाया गया तो उसके बाद इलेक्शन हो जायेगा तो कौन इसको तय करेगा कि कौन शहरी ग्राफ्टर 71 है ग्रीर कौन बिफोर 71 है ग्रौर मैं समझता हं कि जो इन्टेंशन रहा है 'श्रामु का और उसके श्रन्दर गवर्नमेंट श्राफ इंडिया इनाल्वड है उसका ग्रटेंशम यह है कि इन सबको ग्रापटर

7 । टोट किया जाये। मैं थोड़ी देर के लिये मान नृकि स्राप बिफोर 71 थोड़े से लोगों को लें भी तो उनमें से बड़ी तादाद को ग्राप इल्लीगल या ग्राफ्टर 7ा ट्रीट क्षरेंगे या उनको कैम्पों में रखेंगे या क्या करेंगे : 15 भगस्त को एकार्ड का ऐलान होता है भीर 17 ग्रगस्त को ''श्राम्'' प्रेस कान्फरेंस करती है जो कलकता के "संडे स्टेट्समैंन'' के श्रंदर छपा है उसमें "श्रामू" के लीडरी महत्ता और फोकन ने यह कहा कि गवर्नमेंट श्राफ इंडिया के इस एकार्ड के जिरिये से 2 लाख लोगों का डिटेक्शन करने का उनको फारेनर डिक्लेश्वार करने का श्रापस में एग्रीफ मेंट हुन्ना है और इलेक्शन के बाद 20 लाख लोगों को निकालने का एग्रीमेंट हुन्ना हैं। श्राज तक किसी ने इस स्टेटमेंट को क्षन्ट्राडिक्ट किया हैं? ग्राज तक किसी ने कन्ट्राडिक्ट नहीं किया है : ग्रीर छोड़ दीजिये भ्रापने क्या क्राइटेरिया ग्रस्टितयार किया—-13, 14 लाख ग्राब्जेक्शन हर्ये श्रीर 8--9 लाख क्लेम दाखिल हुथे। मैं करता हूं करीब 20--22 लाख तो इनके **अंदर अगर आप हर इंडिवीज्**यल केम की तय भरते और 20 लाख मिनट लगा ली-जिये ते। एक महीने के श्रंदर श्राप तय नहीं कर सकते थे लेकिन ग्रापने तो बिल्कुल एकदम एक तरीके से एक ग्रंधे की लाठी से हांचना शुरू कर दिया : ग्रापने इल्ली-गल माइग्रेशन एक्ट 1984 के अन्दर यह तय किया था कि वेलोग ब्राब्जेक्शन कर सकते थे किसी की शहरियत के लिये जो विदिन 3 विलोमीटर्स हों, 3 विलीमीटर के रहने वाले हों ग्रीर उसके ऊपर काउंटर साइन, इविडेंस उस शब्स का होगा, इंडिकी जुम्रल 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 आब्जरवेशन यह है कि अगर किसी शख्स का नाम इलेक्टोरल लिस्ट के अन्दर हैती सिफं सिम्पुल स्टेटमेंट से इलेक्टोरल रोल मे उसका नाम नहीं निकाला जा सकता है, खारिज नहीं किया जा सकता है, उसकी सिटीजनशिप जो है उस पर शुबहा नहीं किया जा सकता है। यह पूरी जिम्मेदारी उस भाब्जेक्टर पर होगी कि वह दस्तावेज सबूत लायें, श्ररायमेंट लाये कि फलां शहप गॅर मुल्की है, उसके बगैर ग्राप यह

क्बुल नहीं करेंगे। श्रापने कहा कि श्राप फार्म 7 के ऊपर दरख्वास्त नहीं लेंगे लेकिन मैं काहना चाहता हं कि इस डिटेक्शन के अंदर जो प्रोसीजर ग्रहितयार किया गया है उसमें वेपनाही तरीके से, साइक्लोस्टाइल करके सारी चीजें भरकर सिर्फ नाम भरने थे, इसी तरीके भ्रौर दाखिल किये गये थे। से मैं ग्रापको बतलाऊं ग्रापके इसी बिल के अन्दर आपने एक तरफ शर्त लगायी है कि जो भी डिटेक्ट हुये हैं उनको फारेन र्राजस्टर के अन्दर अपने नाम को रिजस्टर्ड कराना उसके साथ सब सेक्शन पडेगा । लगाया है और सब सेक्शन 6ए और 6वी के श्चन्दर प्रापने जो कहा है वह भी गौर करने की बात है। 6ए के अन्दर आपने यह कहा है कि श्रगर किसी शख्त के डिटेक्शन के बाद 60 रोज के ग्रन्दर, ग्रगर वह हिंदुस्तान की सिटीजनशिव नहीं चाहता है मांगता है तो वह डिटेक्टर कर दे कि हमें सिटी-जनिश्व मंजूर नहीं है। लेकिन 6को के ग्रंदर श्रापने यह बाहा है कि इस बिल के अन्दर कि वे लोग जो कि हिंद्स्तान की सिटीजनशिप को वाकई नहीं रखना चाहते हैं उनके ऊपर यह जिम्मेदारी नहीं है कि वे जरूर डिक्लेग्रर कारें या जरूर वे फारेन रजिस्टर में अपना नाम लिखायें। इसका मतलब यह है ग्रासाम ग्रौर नार्थ ईस्टर्न रोजन जिसकी पश्चिमदगी जिसके एिछडेपन को जानते हैं, सभी उसकी शिकायते करते हैं वहां इनोसेंट लोग बहुत से लोग जो प्रोसीजर नही जानते हैं वे श्रपना नाम फारेन रजिस्टर के श्रन्दर नहीं लिखा सकत हैं लेकिन इस प्रोत्रोजन के म्ताबिक यह होगा कि चंकि उहोंने नाम अपना फारेन र्जिस्टर के ग्रन्दर दर्ज नहीं कराया है ब्राप यह ट्रीट करेंगे कि वे गैर मुल्की हैं। जाहिर है कि इन्तिहाई डैमेजिंग यह क्लाज है जो इसके अन्दर रखा गया है । इसको कंसीडर करना चाहिये और इस 6वी को निकाल देना चाहिये। सिर्फ 6(ए) के अन्दर, अञ्चल तो मैंने कहा कि पूरा रिवार्ड 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 71 कितनों को ट्रीट किया जायेगा ? लेकिन यह सैक्शन तो ग्रौर हैमेजिंग है, सैक्शन 6 बी

जिसके अन्दर जो आपने रजिस्टर नहीं कराए वह भी गैर मुल्की है। जाहिर है कि यह चीज बहुत गलत है। मैं फिर एक मतंबा इस बिल के बारे में यह कहना चाहता हूं कि यह एक मतंब है अब तक जितना गारंटी उनको दी गई थी उन सबके खिलाफ गवर्नमेंट ने विट्रें किया है और इस एतबार से मैं यह कहता हूं कि यह भी सफोशियेंट कलाज नहीं हैं, उनको प्रोटैक्ट करने के लिये एक कंप्रीहै सिव बिल लायें। जिससे उनके शहरी हकूक बर-करार रहें। शिक्या।

[شرى سيد احمد هاشمي "الر ډرديه*ن''……مي*ڌم"وائس چيرمهن-جس طریقه سے په پورا اکارت جو كورنملم أفإنديا اور تسو اور كلسلكوام پریشد کے درمیان ہوا اور جس طر سے وہ ایک دھویا ہے ایک فراڈ ہے۔ اس طریقه سے یه جو امذتمدت لایا کیا ہے وہ یہی فراۃ ہے دھوکا ہے اور آنکھوں میں دعول جھونکٹے کیلگے ہے۔ یه امیریشن دیا جارها هے که یه جو المقدّمنت لايا جارها هے يه املدّمنت السائد لايا جارها هے كه جو مالغارتهز هیں جانک تاتیکشن فیر قانونی کوکے جنکو فرئچائز سے مصررم کہا کہا ہے اور انکو فرنچائز کا رائت نههن دیا کیا ہے انگریست کے اندر مے حالانکه جو آپکا بل هے اسکے اندر اس المات کا صاف طریقه سے ذکر کیا گیا هے- اسکے اندریہ ہے کہ اس اکارہ کو أفيكمتيو بناني كيلئي يه بل لايا كها ھے۔ تو مائلارالیز کے انٹریست کے اندر یه بل نههن لیا کها هے دوسری بات یه هے که یه بات سب جانتے هیں ھمارے بعض درسرے درستوں نے بھی کہا ہے یہ رولنگ پارٹی نے مائنارٹیوز کے ساتھ وہ جاھے آسام کے للگ وسلک

<sup>†[]</sup>Transliteration in Arabic Script.

[شرى سود احمد هاشمي] مانابارتیز ہے لوگ ہوں انکے ساتھ دهری کیا گیا ہے۔ سن ۱۹۸۳ کے الهکشن کے اندر جس طریقہ نے برھمیۃ خون میں نہلایا گیا۔ نیلی کاربم کا حادثه دنها کے اندر سب کے علم میں ھے اور ھندے ان کا ایک ایک بچھ جانتا ہے۔ لیکی باوجرد خوں میں نہائے کے مائنارڈیز نے للکوسٹک مائنارتیز نے کانگرنیس کو اس لیے سهورت کها تها که یه جو شبه پیدا کیا جا رہا ہے انکی شہریت کے بارے میں وہ باقی نہیں رہے کا اور بھ رولفک جر اینا وعده کردهی هے اس کو پورا کریکی .....مداخلت شهى يشيدي ذاته سكا ...... لنگوسٹک مائذارتین کا کیا مطلب ہے۔ جناب سيد احمد هاشمي .... لنكوستك ماندارتين بنكالي ليهالي وغيوه هيل- تو آچ يه محسوس هو رها هے که جنتا کچه ایشورنس دیا كما تها ولا سارا كا سارا غلط هـ-

اسکے اندر سب سے اھم بات یہ ھے کہ جس زمانہ میں آسو اور گذسذ عرام پریشد کا پورا موومیذت فيل هو چكا تها سائديا منستري کے آنے کے بعد اسوقت گورنمذت آپ اندیا نے اپے کو سرندر کیا ہے۔ آیکا ۱۵ اگست کو اکارة هوا لیکس و اگست کو جو انترویو مستر سائیمیا چیف منسٹر کا سنتے میگزین کے اندر چوپها هے میں بهورا سا اسمهن سے حصہ یومکر آبکو سنانا چاھتا ھوں ۔ ایک سوال کے جواب میں مستر سائیکہا نے کہا ھے

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 4000 innocent souls. With this feeling and sentiment, I do not know how the minorities will react if we go to some other date. I just do not know.

# البقه آگے جاکو کے انہوں نے سرينڌر کيا ھے -

Whatever the Prime Minister says will be binding on us.

آپ میر کیجگے که خود آسام کا جهف مدستر به کیه ردا هے که حالات نارما هو گئے اور جو انکا مرومنت ہے وہ خُدم هو چکا ہے بھے اسکول جا رہے ھیں - لوگ عیادت لاھوں کے اندر جا رہے ھیں ۔ مائنارتیز کو بھڑے کیا گیا ہے دعوا دیا گیا هے اور اسکے بعد یہ اکارت کیا گیا هے۔ مھی آپ سے ایک بات اور عرض کرنا چاهتا هون - يه مسئله نهين هے که دهرین ۱۹۷۱ اور ۱۹۷۱ مین جو لوک آئے ھیں اب یہ املدمدت کے فربعه سے یہ کہدے ھیں کہ صرف ان سے ووٹنگ رائٹ چھیں لیا کیا بي بالتي سارے شهري حقوق الكو حاصل هیں هم کهتے عیں که یه بالكل دهوكه هـ - جن لوگول كا دتیکھی ہوا تمام الیکشی کمیشی کے أبزرويشن اور اليكل اسيكريشن ايكت ۱۹۸۳ يے سارے وردکھ اور سارے فیصلوں کے باوجود آپ نے احکو وائلیت کرکے جسطریقه سے ڈٹیکشوں کید ہے سبل اگر یہ پوچھوں کہ کن لوکوں کا ذائیکھن کیا گیا ہے ۔ ھم سنجهتے هيں که رولنگ پارتی سے اکر پوچبهن که کها یه آلتر ۱۹۷۱

مے آپ کہینگے نہیں سب نہیں هونگے - بغور ۱۹۷۱ هيو - تو آپ کھیفکے سب نہیں ھرنگے۔ اسکا مطلب يه هے که جو دالیکشن هوا هے

ولا بغور ١٩٧١ أور ١٩٧١ هـ - آپ کم سے کم یہ کہینگے ہو ہ ہے۔ ليكن كون سا ره عوا آفتر ٧١ اور بغور ۷۱ - جس زمانه میں دَتَعَشَى هو رها تها آب نے ایا کوائٹییویا - سٹیزی شپ کے ثموت کیلئے بنایا کہ کوئی آسام کا شہری ایویڈاس نہیں سے سکٹا ٹیا ہے آیے ایک آهم کو کها ستیزن شپ سوتيفكت للو - برته سوتيفكت لاو -٧١ کي روثر لست لاو جو غائب کردی کئی - اگر بھی گ*رائ*ٹیریا۔ بغايا كبا تو اسكي بعد جب اليكشي هو جاليكا تو كون اسكو طے كدے كا که کون شهری آنگر ۷۱ هے اور کون بعود ۷۱ هے أور مين سنجهال هوئي كه جو انتيلشي رها هي أدو كا اور اسكے إندر كورنملت آف انديا إنوالوڈ هے اسکا انتیاشی یہ هے که ان سب کو انتر ۷۱ ترت کیا جائے - میں تھوڑی دیر کیائے مان لوں کہ آپ بقور ۷۱ تھوڑے سے لوگوں کو لھن بھی قو انمیں سے بوی تعداد کو آپ الهكل يا انتر ٧١ تربت كرينك يا انکو کھمپوں میں رکھیلگے یا کھا كرينگے - ١٥ اگست كو الارة كا اعلان هوتها هے اور ۱۷ اگست کو (آسو) پرياس كانفرنس كر<mark>قى هے جو كلكات</mark>ه؛ کے سندے استیقمنٹس کے اندر چھپا ھے اسمیں (اُِسو) کے لیتروں مہنتا اور پھوکن نے یہ کہا کہ گورنملت آف انڈیا کے اس اکارہ کے ذریعہ سے ۲ لاکھ لوگوں کا قایٹھکشی کرنے کا انکو: فورنر قائلهر كرنے كا آيسى مهن 1444 RS—12.

ا اکریمذت هوا هے - اور الیکشن کے بعد ۱۰ لاکه لوگوں کو نکالذے کا اگویمنت هوا هے - آختک کس نے اس استیتمدت کو کنتوادکت کیا مے آجتک کسی نے کلٹراڈکٹ نہیں کہا ھے - اور چھور دیجئے آپ نے کیا كرائليريا اختيار كها هـ - ١١/١٣ لائه آبجيكشن عوله اور آله نو الكه كليم داخل هواء - مين كهتا هون قريب ۲+ بائيس لاکه تو انک اندر اگر آپ ہر انڈیویجول کیس کو طے كرتے اور ۱۰ الكه منت لكا ليجيئے تو ایک مہینے کے اندر آپ طے نہیں کر سکتے تھے - لیکن آپ نے تو بالكل ايكدم ايك طريقه سے ايك اندھے کی القوی سے مانکنا شروع کر دریا - آپ نے الیکل مائیگریشی ایکت ۱۹۸۳ کے اندر یہ طے کیا تھا که وه لوگ آبجیکشن کر سکتے تھے کسی کی شہایہ تا کیائے جو تین کلومیٹر کے اندر ہوں۔ ۳ کلو میٹر کے رهائ واله هول أور اسكه أوير كاؤنثر ساتی ایویدنس اس شخص کا هوگا ـ اس انڌيويحول کا هوڙا جو اس ر يارت آف دى الكاروبا رول كا هولا-اسکے علاوہ کسی دوسرے کا رائٹ بهوں هوگا - اسى طرح سے ۸۳ کے اندر آیکے الهکشن کمهشن کا آبزرویشن یہ هے کہ اگر کسی شخص کا نام الهكترورل لست كي اندر هي تو صف سميل استهتمنت سے الهكترورل رول سے اسکا نام نہیں نکالا جا سکھا ہے۔ خارج نههن کیا جا سکتا ہے۔ اسکی ستهزن شپ جو هے اسپو شبه نهیں کیا جا سکتا ہے ۔ یہ پوری ذمهداری اس آبجیکتر پر هوئی که وه دستاویزی ثبوت النے - ارگومینتس الله كه فال شخص غير ملكي هـ ـ

Discussion not concluded

# آشری سید احمد مادمی

اسکے بغیر آپ یہ قبول نہیں کرینگے۔ آپ نے کہا کہ آپ فارم سات کے اویو درخواست نهین لینگے لهکی میں کهنا چاهتا هون که اس دانیکشون کے اندر جو پروسیجر اختیار کیا گیا ھے اسمین نے پناہ طریقہ سے سائیکلوں -استائیل کرکر ساری چیزیں پهر کر صرف نام بهرنے تھے اور داخل کئے کئے تھے ۔ اسی طریقہ سے میں آیکو بتلاوں آپکے اس بل کے اندر آپ نے ایک طرف شرط لکائی ہے کہ دو تھے ذاليكمك هوئے ههي انكو فارن رجستار کے اندر ایے نام کو رجسترق کرانا يوے کا - اسكے ساتھ سب سيكھي و اے لکایا ہے اور سب سیکھن ن چھے اے اور چھے بی کے اندر آپ نے جو کہا ہے وہ بھی غور کرنے کی بات ھے - چھے اے کے اندر آپ نے یہ کہا ھے که اگر کسی شخص کے ڈڈیکشن کے بعد + ا روز کے اندر اگر وا هندوستان کی ستیزنشپ نهین چاهنا هے سانگھا هے تر وہ دکلهو کر دے کہ ہمیں سٹیزن شپ منظور نهين هے - ليکن جهے ہی کے اندو آپ نے یہ کہا ہے اس بل کے اندر که ولا لوگ جو بهی هدوستان کی حتمزن شپ کو واقعی نهیس رکهنا چاهتے هيں انکے اوڀر يه ذمه داري نهين هے که ولا ضرور ڈکلیر کریں یا ضرور ولا فارن رجسالر مين ايفا نام لكهوائين - اسكا مطلب به هم آسام اور نارته ایستارن ریجن جسکی پسماندگ پنچهوے **ی**ر کو آپ جانتے هیں - سبهی اسکی شکایت کرتے ھیں وہاں انوسمیست اوب مہت سے نوک جو پروسیجر نهیں جانتے هیں ولا ايلا نام فارن رجستر مين نهين لكها سکتے الایس لیکوں اس پروویزان کے مطابق یہ ہوگا کہ کیونکہ انہیں نے اپنا نام فارن رجستر کے اندر درج نہیں کرایا ھے تو آپ یہ ٹی ہے . كرياگي كه وه غير ملكي هيس - ظاهر ھے کہ انتہائی قیمیصلگ یہ کالز ھے جو اسکے اندر رکا کیا ھے - اسکو ننسیقر کرنا چاهئے ، اور اس چھ بي كو نكال دينا چاهئے -

صرف چھے اے کے اندر لوگ تو میں نے کہا کہ یورا ریکارڈ فلط ھے -ية يووا املاميات جو الأبي هيو اس سے کوئی انشور نہیں ھوتا - اس سے وهال کی مائفارتیز کی کوئی کارنٹی نهیں هوتے ہے ۔ بفور ۱۷ کلنوں کو تربيت كها جائيكا - ليكن يه سيكشن تو اور دیمیجاگ هے - سیکشوں چهے بے جسکے اندر جو اپنے آیکو رحساتر نہیں کرائے رہ ہوی غیر ملکی ھے -ظاهر هے کہ ہہ چیز بہت غلط هے -میں پنر ایک مرتبہ اس بل کے بارکے میں یہ کہنا چاھتا ھوں کہ يه ايك محظ دهوكا هے - فريب هے-اب تک جتنی کارنتی انکو دی کئی تهین ان حب کے خلاف گورنمذمی نے بھترے کیا ہے اور جس اعتبار سے میں به کهتا هور که یه بهی سفیشهلت کلاز آنهیں هے - انکو پروٹیکس کرنے کیلئے ایک کمپری هینسیو بل تاثین جس سے انکے شہری حقوق برقرار رهيو، - شكريه - آ

RAMESHWAR THAKUR (Bihar). Madam Vice-Chairman, I rise to support the Citizenship (Amendment) 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 Scttlement relating to the foreigners' issue in Assam, called he Assam Accord.

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

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Clause 1 of this proposed new section with definitions. Clause 2 deals with one important aspect that all persons of Indian origin who came before the 1st s day of January. 1966, and who have been ordinarily resident in Assam since the dates of their entry into Assam shall be deemed to be Citizens of India as from the 1st day of January, 1966. This settles the issue about the persons who came to India from the days of partition up 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 their entry into Assam, been ordinarily resident in Assam and who have been detected to be foreigners; it says 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 of ten years from that 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 not 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, some extent, agitated. Clause 5 is very important because it sets at rest all doubts and says that a person, registered under sub-section (3) shall be deemed to be a citizen of India for all purposes as from the date of expiry of a period of years from the dat, on which he

been detected to be a foreigner. It means that after the expiry of ten years, he becomes a full-fledged Indian chizen 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 other law for the time being in force. This is important because some friends asked whether it will affect the other laws also. It 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 all 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 and it properly gives the right to the 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 negotiations between the Government and AASU on the issue of Assam and it was finally signed in the early hours of 15th 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 signing of this agreement another element of tension would be revoked and the country would be able to devote its attention to development. It is a matter of great satisfaction and outstanding achievement that the Accord represents fulfilment of the assurance given by the Prime Minister early this year in

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broadcast to the nation soon after his formation of the new Government on receipt of the massive mandate from the people.

The Memorandum of Settlement 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, 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 fourparts. The first one deals with the fore-The second one is safeigners issue. guards and economic development. third part relates to other issues including steps against future infiltration. And the fourth part is restoration of normalcy. This 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 electorel rolls shall be restored. The above provisions are silent about the status of 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 Muslims, who will be detected and detranchised 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. removes all doubts and gives protection to the concerned minorities of Assam. Some criticism has been made—maybe on account of lack of proper understanding or due to apprehension and sectional approach to the major issue dealt with in Assam Accord. I would certainly urge all Members of the House from either side that on such a sensitive issue where rights and lives of millions of people are involved, we should not see it from a political angle. The Accord had accepted and welcomed by all leaders of political parties when it was announced. Even the common people of Assam in general have accepted the Accord and all over the world there has been appreciation, apart from the national appreciation in this regard.

We have to see another aspect. Assam is 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 areas in many circumstances are not able to know exactly the implications of the law but certainly they have in general welcomed the Accord on Assam.

Assam is an ancient land. It has been a place where people from different parts of the country have come in the past to live here. It has a very chequered history right from the days of establishment by Narkasura of Pragjyotishpur. those days, if you take the later part of the seventh century when King Bhaskarabharan had established his glory and 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 struggle Assam was one of the forerunner State which occupied an important place in the freedom movecontributed to the national ment and movement throughout this period peacefully. Even during this agitation period, you will appreciate the people of Assam have been peace-loving, berring the period of the last elections in 1983. Throughout this period the people 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 States people have been coming in large numbers and living there for centuries. There has been

problem. The agitation started, as are all aware because after the partition of the country and after the liberation of 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 1978 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 our late Prime Minister, Mrs. Indira Gandhi, as has been mentioned by one Member from the other side also.

Immediately after taking over the Government in early 1980, iπ April she had been 10 Gauhati made herself public and a nouncement 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 views 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 Assam wanted a lasting This is the Accord on Assam which was a bold and pragmatic step taken by the Prime Minister. I must say that leaders of the eastern division of Assam also cooperated 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. I think it is very unfair to say that it is against the interests of against the interests the minorities and 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 vecy senior Members of the House, we should not say things which injure the feelings of of Assam. At this time the people when normalcy has been brought to Assam through the Accord, when in 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 of 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 1983 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 election, 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 of Assam. The Prime Minister, Shri Rajiv Gandhi. in his Address to the Nation or the 15th August, in Parliament later on and also while addressing the people of Assam on 25th of November, 1985 at Gauhati, has assured taithful 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 the development of Assam, peace and prosperity of 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 manufesto, it it the commitment of the people from their · side also. The Assam Accord has to be faithfully implemented. This 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 is 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 (Andhra Pradesh). Madam Vice-Chairman, as 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.

party also stood for the legitimate protection of the rights of minorities who should be made to feel that they are integral part of the main stream of the country. Therefore, our party appreciates, welcomes any move by which the minorities, not only of Assam but anywhere in the country, get their legitimate due so that they can feel one with the nation. Telugu Desam 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-based politics, stands for clean politics.

there But it becomes unhappy whea is a departure from value-based politics to opportunitistic politics. The present Bill which is before us for discussion, is one such typical example of opportunistic politics in the country. I say it is eaportunistic politics because various clauses of the Accord which needed attention have not been attended to whereas clause like this is being immedately attended to because the party in power feels that by this Bill, when it becomes an Act, it can attract the attention of the minorities in such a way as to offset, what it feared, an erosion into its stronghold in Assam.

I would like to draw the attention of the Minister to a few clauses of the Accord which need immediate attention for not merely the well-being of the people of Assam but for the country as a whole. I would like to draw his attention to clause 9. It says:

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

The Minister in written answer to one of the 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."

I would like to draw the attention of this House that as early as the monsoon session of 1984 in reply to a question which was 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 towers 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 deply 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 Government. 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 tain measures immediately as the ceptance 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 Assam, the Central Government no suggestion of Assam, 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 fulfilled by establishing such things, pecially the setting up of a regional cultural centre would give them a sense of cultural identity as part of this great na-

[The Deputy 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. know what is meant by 'seized of matter'. It is years, secades, 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 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 essorts to reopening of Ashok Paper Mill and Jute Mill? The answer given by the Minister was that the consultations 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 Union Government? The same Government which felt it SO necessary to rush through this 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 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

[Prof. C. 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 'valued based politics' to 'opportunistic politics' to a thing like this, whether the Election Commission has paid any attention, after having announced the election date? Therefore, we are not opposed to a Bill like this. But taking advantage of this situation, I would like to press and impress upon the Union Government 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 country as a whole or to the people of Assam. Therefore, as you have shown so much of urgency in bringing forward this particular Bill. 5 p.m. would urge upon the Union Government to show the same urgency in dealing with other aspects which go to make an assurance to the people of Assam for their orderly development in terms of culture, in terms of economic development and in terms of technological progress. I do not want to go into other details about the plan outetc. 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 simply the Opposition parties that they 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 and I think, this is the biggest for any country that in large numbers, people have reposed confidence in you 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, perhaps, 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 country as a whole can progress together. Thank you.

BIR BHADRA PRATAP SHRI 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, that 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 the 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 Article 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 not 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, then may I, with all respect, say, simply because somebody's name is in the electoral roll of the country by mistake or by omission, he does not become a citizen because it is not the only prerequisite of the citizenship that one simply gets his 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.

Otherwise there is a general agreement on 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 since other situations were not contemplated at that time, therefore, in 1955 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 to 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 deprive 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 a argument. This is our modus correct op randi; since our new leadership has 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 be 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 the people of Assam. We do not want to throw anybody out of the country.

After all, can you imagine a situation 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 will not be creating problems? They must be creating a lot of problems. All sorts of 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 ensure whether they have come with intentions to stay in genuine country and they will be good citizens. Let them register themselves. Let them get their claim decided. Forten years their voting right will be 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 to see 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 Reddy mentioned that article 15 gives cercitizens only. Let them tain rights to 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 evolved 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

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time to scrutinise the true intentions of those people who came into it, whether they are bona 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 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 unfortunate that you have is very chosen this time to bring forward this Bill because this may be interpreted as being aimed at winning more votes. that this has been done after some Minister visited Assam and made a report about the feelings of minorities against the Congress-I. Then as my friend. Mr. Babul Reddy pointed out, what do 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 stated;

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

Suppose you take 15 years c. 20 years or 30 years for defection purposes, the person shall not be eligible to vote for ten years after the detection. Is that so? It means not from just 1971 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 is not happily or properly set.

Secondly, this Bill is not acceptable. It is against the international commitment given to the people who came from Bangladesh, that the people coming here will have the right of citizenship. But, in this context, I like to say that this is something most surprising because it is for the first time that this is happening i country that the citizens' rights have 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 Minister. I would like to know whether the citizen has still the right to move the High Court and the Supreme Court 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 voting rights. This is a new phenomenon which you are creating and I think the Minister is trying to hastily cush through this Bill.

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

will this be notified? This will be endless process because people will be
coming from the other country with
no international border. I would, therefore, like to appeal to the Minister,
Madam, 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 Asad Madani now.

**श्री ग्रसद मदनी** (उत्तर प्रदेश): जमाब डिप्टी चेयरमैन साहिब, सन् 1824 में भ्रासाम का मुबा बनाया गया। तीन जिले उसमें बंगला बोलने वाले थे ग्रीर 5 अप्रामी बोलने वाले थे। ग्रामाम के सूबे में जो ऊंची ग्रीर महफ्ज ग्रच्छी हैं उन्ही में असमी बोलने वाले वसते श्रे। वे सहलियत से ग्रोर इतमीनान साथ जिन्दगी गुजारते थे, कोई मशक्कत, तकलीक ग्रौर बीमारिया ग्रौर नहमवार पसन्द नही करते थे। उनको ग्राने की **मैपन सिंह** से नवाखाली से सिर्फ पांच रूपये में लोगों को नौगांव तक ग्रौर दूसरे इलाकों श्रा करके ऐसी जमीनों को ग्राबाद **करने** की सहलियते दीं। इस तरीके से वहां धीरे-धी**रे** 1850-60-70-80 के इन जमानों में फैमलियां श्राई श्रौर उनको सरकार की तरफ से ऐसे इलाकों में जहां सैलाब ज्यादा आते थे और जमीने कटती र्था नाहमवार थे, रास्ते वगैरह नहीं थे, वहां प्रावादी नहीं थी ग्रौर जमीन बेकार पड़ी थी, वहां ज्यादा फसल उगे और सह-लियत हो उन्हे इस तरह से वहां स्रावाद किया गया। श्रासाम के लोग मिजाज के लिहाज से नर्म सुलह पसंद और रवादारी मिजाज के हैं जिसके नतीजे में वे श्रमनो श्राराती के साथ रहते थे। खुद वे लोग भी इन बाहर से आने वालों को अपनी खेतियों में काम करने के लिये हमेशा बराबर पसंद करते रहे ग्रौर उनके साथ िक्रात श्रच्छे तालुकात में जिंदगी गुजारते रहे। लेकिन सन् 1930-30 के करीब ये लोग जो मेहनतकश जब मजदूर थे श्रौर उनकी तमाम फैमिलियां, उनके मुर्द ग्रौरते खेतियों में लगे रहते थे, उनकी हालत कुछ सम्भली श्रीर उन्होंने

चे इलाकों मे भा जा करके जमीने हासिल की तो उनके ग्रौर मुकामी वाशिदों के दरम्यान में कुछ क्लेश हुग्रा। मन् 1936 में कांग्रेस भिनिस्ट्री श्रंग्रेजों ने तोडी तमाम मुबों में ग्रौर वहां सर मादल्ला साहब ने मकामी टाइबल लोगों के ताम्राब्वन से मिनिस्ट्री बनाई इन तमाम बाकयात को देख करके जो पेश ग्रा रहे थे लाइन सिस्टम कानून मंज्र किया ऋौर उन पर जो वहां रहते थे आने पर, बसने पर श्रीर उनके ग्रलग इलाके मखसूस किये उन पर पाबंदिया लगाई गई। वह मामलात बढे, ग्रौर उसमें झगडे वढे ग्राँर उन बसने वालो के लिये लीडर शिप सर सादुल्ला साहब के मुकाबले में भासानी साहब ने वहां तैयार की ग्रौर श्रापस में टकराव शह हुआ। मुल्क आजादी की तरफ चल रहें था सन् 1947 में मुल्क ग्राजाद हुन्ना। श्रीर खुद श्रासाम भी, उसका एक जिला सिलहट चार थाने छोड़कर वह हिन्दस्तान में भ्राया ग्रौर बार्का डिस्ट्क्ट जो **था**, वह पाकिस्तान में चला गया था। श्रासाम भी तकसीम हुम्रा, उसके बाद वहा 1950 में कम्युनल रायट हुए, जिसमें तीन लाख के करीब लोग वर्बाद होकर, उजड़ कर मशरिकी पाकिस्तान चले गये। कुछ महीनों के बाद जब हालात नार्मल हुए तो नेहरू-लियाकत पेक्ट हुम्रा 1951 में। उस**पे**क्ट के नतीजे नें जो लोग इधर में उधर गए थे. उनको वापस जाने ग्रीर ग्रावाद होने का मग्राहिदा हग्रा, तो वह ग्राहिस्ता-ग्राहिस्ता सन् 1951 में एक-एक दो-दो फेमिली ग्रानी शुरू हयी ग्रीर उन्होंने फिर ग्राकर साल डेढ साल के ग्रन्दर भ्रपने उन इलाकों में मकानात ग्रौर देहात जो थे, उनकी प्रावादी शुरू हुई ग्राँर वहां खेती ग्रौर मकानात ग्रादि बना लिये। इस तरीके से 1951 जनवरी में जो सेन्सस हई, उसमें कई लाख ग्रादमी जो राइट की वजह से दूसरी तरफ चले गये थे, वह मौजूद नहीं थे ग्रौर इस तरह वह पुरे पूरे गांव निल लिखे हुए थे, उनमें को । रहने वाला **न**हीं था लेकिन एक तरफ यह ग्राहिस्ता ग्राहिस्ता ग्राये ग्रीर दूसरी जगह इसकी मरद्म शुमारी की कोई अहमियत नक्कीं थी। कोई सरकारी कर्मचार। जाकर

## [श्री असद मदनी]

गांव में बैठ र पांच-दस गांव की मर-दुमगुमारी लिख जेता था। इसलिए कि रास्ते नहीं थे, सवर्गरयां नहीं थीं, पुल नही खे और यह इलाके जो थे, यह सैलाबी इलाके थे, बामारियों के इलाके थे, वहां मच्छर थे, कीड़े मकौड़े थे, जाने ग्राने में दिक्कत होती थीं, न पुल थेन सड़कें थीं। 1951 में एक तरफ यह अ।बादा बाहर गयी थी, दूमरी तरफ साधन नहीं थे, इसलिये ग्रहमियत के साथ मुकम्मल सेन्सस नहीं हुई। जब दस साल बाद 1961 में दुबारा मरदुमशुमारी हुई, तो बहुत सी सड़कों बहुत से पुल, बहुन से रास्ते बन चुके थे ग्रौर हुकूमत ने भी सेन्सस में पहले के मुकाबले कई गुना ज्यादा जोर भ्रौर तफसीली मालुमात की हिदायतें कीं थी जिसके नतीजे में एक तरफ वह ढाई-तीन लाख ग्रादमी जो चले गये थे, वह नेहरू-लियाकत पेक्ट में वापस भ्राये भ्रौर दूसरी तरफ साधन बढ़े दस साल के ग्रंदर, पुल बने सड़कें बनीं सहलियतें बढीं ग्रौर हक्मत की तरफ से ताकीद बढी कि हरहर श्रादमी के हालात मालूम करें। फिर 1963-64 में एक खास साजिश के तहत् एक हंगामा खडा किया गया कि ग्रासाम के क्ई लाख लोग गैर-मुल्की भ्राकर रहते है ग्रीर उसका शोर मचा, फिर उसके नतीजे में बाज इलाके में पूरे-पूरे में पुलिस जाती, रात में घेर लेती और फिर दुसरी रात में ट्रकों में लादकर बोर्डर पार करा दिया जाता। इस तरह की मुसं-बत श्रीर परेशानी में पूरे-पूरे गांव थे जिनको इस तरह धकेला जा रहा था, कोई श्रदालती कार्यवाही नहीं, किसी को सफाई-सब्त का हक नहीं। लोग भागे-दौडे चारो तरफ गये श्रीर कहा हमारी मदद करो, हम पर यह मुसीबत श्रा रही है, जिसके

नतीजे में हम लोग वहां गये, खुद मैं उन लोगों में से था, जिस वक्त पूरे ग्रासाम का दौरा किया भ्रौर सारे फैक्टस जमा किये जो हालात वहां पेश थे, फिर शिलाग जाकर फखरूद्दीन साहब उस समय थे, चालिया साहब भी मिनिस्टर थे ग्रौर दुसरे मिनिस्टर थे, चीफ सेकेटरी, होम मेक्रेटरी वगैरह-वगैरह सब लोगों से बातें की, जो जुल्म-ज्यादती हो रही थी, ग्रौर जिस तरीके के वाक्यात पेश ग्रा रहे थे, उनको बताया ग्रौर उनसे कहा कि ग्राप ऐसा मत कीजिये, इनको देखिए श्रौर हालात को दुरुस्त करने में यह सुरतें पेश नहीं श्रानी चाहियें। उसके बाद हमने रिपोर्ट मुरन्तब की ग्रंदर यहां सेंट्ल गवर्न-मेंट में, पंडित जी उस वक्त जिन्दा थे स्रौर वीमार थे, उनको पेश की ग्रौर लाल बहाद्र शास्ती जी उस जमाने में होम मिनिस्टर थे, उनको दी ग्रौर बातचीत हुई, बहुत तवील गुफ्तगू के बाद बहुत अर्म के बाद और उस दरमियान कार्यवा-हियाँ होती रहीं। लेकिन साल, दो साल के वाद, पाँच सात साल के बादे मुख्तलिफ एम० पीज० बेगम किदवई डा० गोपाल सिंह ग्रीर भी है, ने जाकर देखा श्रौर फिर हम लोगों ने बहुत कोशिश की तो टुब्यूनल बना । उसके बाद उन लोगों को मौका मिला सिटीजनशिप साबित करने हिन्द्स्तानी 22 केसेज में सावित हुए । चालिहा साहब ने सेकेटरी से जमैयत-उल-उलेमा चिट्ठो लिखवाई जिसमें कहा कि कोई गैर-मुल्की हमारे सूबे में नहीं है ट्रब्यूनल की जरूरत नहीं है, इसलिए हम द्रिब्यनल तोड़ते हैं, इस तरह की कार्यवाही स्राइन्दा नहीं होगी । उसके बाद '77 में हिन्दुस्तान में जनता पीरियड भ्राया । उस पीरियड में फिर इस मामले को हवादी गई। ग्रास

श्रीर संग्राम परिषद की तहरीकें शरू हुईं, उन्होंने कहना शरू किया कि यहां गरमुल्की हैं । मैं एक हवाला देना चाहता हूं--षी० के० वस्त्रा साहब ने एक तकरीर में हैंडिक इंस्टीट्यट में कहा था कि तहजीवी, नस्त्री, लियानी एतबार में हर नान-श्रासामी गैरमुर्ला है और यह बात याद रखनी चाहिए कि श्रासाम कभी हिन्द्स्तान का हिस्सा नहीं रहा ग्रौर यहां कोई भी ग्रादमी जो कहीं से तिजारत के लिए या किसी और काम के लिए श्राया उसको गैरमुल्की समझा ना चाहिए, यानी 'गैरस्रासामी नहीं, गरमल्की समझा जायी कुछ लोग इस जहनियत के थे। म्रास म्रौर संग्राम परिपद के लोगों ने मैमोरेंडम बनाया श्रौर उसको लेकर म्रान्दोलन शरू किया । उम वक्त श्री सिन्हा साहब मिनिस्टर थे, सैकिया साहब होम मिनिस्टर थे। उन्होंने उसकी श्रहमियत नहीं दी। उसमें यह कहा गया था गैरमुल्कियों को श्रासाम से निकाला जाय। जनता पीरियड में गलाव वरवोरा चीफ मिनिस्टर बने तो उन्होंने प्रैस में यह बयान दिया कि ग्रास ग्रौर संग्राम परिषद के लड़के मेरे पास ग्राए थे ग्राँर मैंने उनसे यह बात कही कि तुम नान-श्रासामीज के खिलाफ एजीटेशन चला रहे हो यह कहीं चलेगा, गैरमुल्कियों को निकलवाग्रो, मेरी बात उन्होंने मान ली है ग्रौर मेरे मणविरे के मुताविक वे गैरम्हिकयों के खिलाफ ग्रान्दोलन चलाएंगे। उन्होंने इसको ताकत दी। पहले 64-65 में मामला ज्यादा वडा था, ट्विंयुनल बने थे। उस वक्त फक्हद्दीन साहब, गंडित जी, शास्त्री जी और शायद नन्दा जी के जमाने में बहुत लम्बे डिस्कशन के बाद एन आर सी की कापियां कांग्रेस को ग्रौर जमायत उल उलेमा को दी गई ताकि सिटीजन्स के नाम देखकर सरकारी कापी से मिला कर उनके

को यक्स किया जाय, शहरी मान लिया जाय । ये कापियां गलफ ने पलिस के जरिये जबत करने की कोशिश की ताकि ग्राइन्दा सार्वित न हो सके। कहीं वे कामयाब हए, कहीं कामयाब नहीं हैए। हमने कभी भी किसी गैरम्लकी को हिन्द्स्तान के किसी हिस्से में गैरकानुनी वौर पर रखने की हिमायत एक मिनट के लिये नहीं की। यह मसला मल्क का है श्रीर मुल्क की हिफाजत का है। दुसरे मुलक का सिटीजन हिन्द्स्तानी नहीं, गैरे-मुल्की है। श्रगर कानुनी तौर पर हक्मत इजाजत दे तो वह रह सकता है। हक्मत शहरी वनाती है तो हक्मत बनाये। लेकिन किसी गैर मुल्को को गैरकानुनी का शहरी बनाया यहां जाय और कोई ऐसी कार्यवाही की जाय तो उसकी हम बिल्कल हिमायत नहीं करते अलबत्ता गैरमलका कह कर हिन्दस्तानी शहरियों के ग्रमन, सुकुन और जिन्दगी की म्तास्मिर किया जाय ग्रौर जल्म किया जाय तो हम उसके खिलाफ है। क्यां हिन्द्स्तान में ग्रमन ग्रौर कान्न की हक-मत होगी या बदश्रमनी ग्रौर फसाद की ? हम वदग्रमनी ग्रौर फसाद की हक्सत नहीं देखना चाहते। हमारे मुलक में कांस्ट्री-ट्युशन है। कोई मल्की है या गैरमल्की है यह देखने के लिये काननी कार्यवाही होनी च।हिये। हमने हमेशा इस बात की तरजीह दी है और कहते है। इंख्तिलाफ है तो इस बात पर कि हिन्दस्तान शहरियों को गैरम्ल्की कह कर जुल्म भ्रौर ज्यादनी की जाय। हम उसको ग्रपो । करते हैं। तो इन ग्रांदोलनकारियों ने 3 माल ढाई साल का तालीमी इदारों को बन्द करवा दिया। वहां तालीम नहीं होने दी ग्रौर लाखों इंमानों की, नौजवानों की जिन्दगी को वर्वाद किया। वड़े-बड़े प्रोफेसरों को.

(Amdtt.) Bill, 1985-

[श्री: असद मदनी] डाक्टरों को, माहीरीने तालीम को, उन के नक्कों को बावजुद इसके कि वे ग्रसमी ये लेकिन सिर्फ इस लिये कि उनका साथ नहीं देते थे, मारा, कत्ल किया। युनि-वर्सिटियों में मारा श्रौर उनको में जाकर कल्ल किया। उन्होंने वहां क़ी निजारत को, वहां की इंडस्ट्री को नुकसान **पहुंचाया ।** सिर्फ पेट्रोलियम को बन्द कर के डेंढ़ करोड़ रुपये का योमिया नुकसान पहुंचाया त्रौर इस तरह से वहां का अरबों अरव रुपयों का नुकसान हुआ। उन्होंने वहां के पूलों को तोड़ा, सड़क़ों को तोड़ा, बसों को जलाया ग्रौर स्कूलों श्रोर डाकखागों को, जलाया । हजारों आदिमियों को देहातों में जा कर तत्ल किया ग्रौर लाखों भ्रादिमयों के मकानात को लुटा और उनको जलाया ग्रौर मैने इसी हाउस में इंडिया टूडे की एक कापी पेश की थी जिसमें फोटो छ्या था ग्रौर उसमें लिखा था--ग्रासू के लीडर्स कह रहे थे-- "इंडियन डाग्स गो बैक।" मे वही लोग हैं कि जिन्होंने एलान किया था कि वे 26 जनवरी को तिरंगा नहीं नहराने देंगे। हम उसका अपमान करेंगे श्रीर उन्होंने झंडे का श्रपमान किया। उम को जलाया, रौंदा श्रीर फाड़ा श्रीर क्या क्या उन्होंने नहीं किया। ऐसे ऐंटी नेशनल लोग, जिन्होंने ऐसी कार्यवाहियां मुल्क के साथ कों, ग्राज उन के साथ समझौता हो रहा है ग्रौर उनकी डिमांड पर, जिन पर हम हमेशा अड़ते रहे। आज उन को हम रियायते दे रहे है। यह ठीक है कि हम भूल जायें। यह भा ठांक है कि समझौताहोना चाहिए, लेकिन अगर मुल्क उनके साथ रियायत कर रहा है तो उससे उनकी हिम्मत ग्रफजाई होगी । यह चाहिए कि यह हिन्दुस्तान के हित में है या नहीं ? क्या उन्होंने गुंडागर्दा नहीं की, क्या उन्होंने करलगारी नहीं की? क्या उन्होंने वायलेंस नहीं क़ी ? श्रगर हम वायलेंस की नाकत के सामने झुकेगें तो लायलेंस रहेगी या अमन और कान्न रहेगा ? मुल्क में क्या होगा ? इसी तरह से उन्होंने नारा लगाया कि असम कार असमीज इसके सामने हम झुक गये तो फिर कल बंगाल फार बंगालीज और बिहार फार बिहारीज और महाराष्ट्र फार महाराट्रियन्स श्रीर गुजरात फार गुजरातीज ही हो जायगा भ्रौर फिर हिन्दुस्तान कहां रहेगा इससे हमारे मुल्क की तरककी की नुकसान पहुंचाता है। ऐसी ताकतों के सामने अनेना मुल्क के लिये कोई भलाई का काम नहीं है। मैं आप से पूछना चाहता हूं कि जिन सरकारी मुलाजिमों ने गवर्नमेंट म्राफ इंडिया की पालिसी की खुल कर मुखालिफत<sup>\*</sup> की, लोगों को ग्राने नहीं दिया, एम पीज को, एम 0ए ल 0ए ज 0 को नामिनेशन नहीं दाखिल करने दिया ग्रौर उनके लड़के ग्रांदोलन चला रहे हैं, उनकी बीबियां आंदोलन चला रही है और तमाम गैर कानुनी हरकतें कर रही हैं, ऐसे लोगों को हम ने माफ कर दिया। इससे सरकारी मुलाजिमों में वफादारी ब हेगी ? यह तो इलाकायी बातें कर के पूरे हिन्दुस्तान के मुफाद को नुकसान पहचायेंगे। यह बात मेरी समझ में तो नहीं म्राती। इस लिये ट्रन चीजों को देखना चाहिए। इन लोगों ने 13 लाख घादिमयों के खिलाफ ग्राब्जेक्शन दाखिल किया ग्रौर ऐसे गैर कानुनी आब्जेक्शन कब्ल किये गये। यह एलेक्टोरल रोल में मौजूद है। कमी**शन** क्री हिदायत कि नं0 7 के कार्म पर होना चाहिए श्रौर उसके खिलाक होना चाहिए कि जिस का नाम कि वोटर लिस्ट में हो ऋौर जसी हल्के में उस क़ी

करनी चाहिए । गवाह भी ऐसे होने चाहिए । लेकिन उस में किसी का खयाल

नहीं रखा गया। 40, 50 हजार थोक में आब्जेक्शन आये और नबूल किये गये और जिस को आप ने गैर मल्की कहा है

उसके खिलाफ सबूत देना चाहिए । सबूत नहीं दिया गया और नोटिस जारी कर

दिये गये। वह खारिज होने चाहिए थे सबत के वर्गर लेकिन यह नहीं हुआ और

म्राप ने जो सबूत मंगा वह सबूत इंसाफ ग्रौर कानन की रूह से कैंसे सही

है। एवीडेंस ऐक्ट मौजूद है। कोई करल करे था चोरी करे या डाका मारे, एवीडेंस

ऐक्ट के म्ताबिक ही सबूत होता है। लेकिन इसके बजाय, जो तमाम उनिया की अदालतों में मानी जाती है, भापने

सिटीजन ग्रौर वोट को बाकी रखने के लिये, अपने कहा कि बर्थ सर्टिकिकेट

लाग्रो। ग्रामाम में वह नहीं होता।

उपसापि:: ग्रव ग्राप खत्म की जिए।

ं श्री ग्रसट मदनी: पहली चीज तो कि बर्थ सर्टीफिकेट लाग्रो, जिसका कोई इंतजाम नही । दूसरी चीज मांगी कि नेशनल सिटीजनशिप सर्टीपिकेट लाग्रो जिसका कोई प्रयोजन नहीं । चीज अपने कहा कि 1971 की लिस्ट में नाम होना चाहिए । सिर्फ 49 हल्कों में 126 इलकों में से जिसमें ग्रवलियतें रहती हैं जिनकी लिस्ट की जरुरत थी, वहां न हो कर के बाकी सब में लिस्ट मौजद हैं। सिर्फ 49 हलकों की लिस्ट न गवर्नमेंट देती है और न इलेक्शन कमीशन देता है। किसी के पास नहीं है। अगर किसी पालिटिकल पार्टी या किसी कंडीडेट के पास निकल ग्राई, वह कही से ले श्राया तो इसको वह मानते नही । रोज लोग दौड़ते हैं, 8-8 घंटे लोग क्यू में खड़े रहते रहे। यह पता लगा है कि वाम से कम पांच ग्रौरतों की सैकड़ों मर्दो के सामने डिलीवरी हुई है । डाक्टर का सर्टीफिकेट पेश किया गया कि स्रौरत इस काबिस नहीं है, बच्चा होने वाला है इसलिए वह नहीं भा सकती। वह कहते हैं कि नही उसे श्राना पड़ेगा ।

श्रपमान हम्रा है। स्रौरत गई श्रोर कहा कि मेरे शाहर का नाम श्रापकी लिस्ट में मौजद है और मैं इसकी छौरत है। तो ग्रफसर साहब फर्मात है इलेक्शन कमीशन के कि क्या सबत है कि तम इसकी पतनी हो मेरी नहीं। ग्रीरतों के साथ इस तरह का अपनाम होता है। इस तरह कह कर श्राप सबत मांगें भीर श्राप इस तरह से बेडज्जत करे यह ठीक नहीं है। इस तरह से लाखों श्रादमी परेशान हो रहे हैं। इलेक्शन कमीशन 13 लाख घंटे लगाए ! सबसे पहले तो यह सबूत मांगता है कि यह गैर मृत्की है। इस सबत के लिए खाधा घंटा और इसके बाद नोटिस की बात ग्राती है । बह श्राकर सब्त दे कि वह इंडियन 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 है। 148 वर्ष 4 महीने 26 दिन 16 घंटे कूल 13 लाख घंटे होते हैं। इस तरह से इलेक्नन कमीशन ने कौन सा जाटु किया है क्या हुआ है मेरी समझ में नहीं भ्राता । इन सब चीजों को सोचना चाहिए ।

उपसभापित: मदनी जी मेरे पास दो श्रौर स्पीकर है श्रौर 6 वजे हम लोगों को कालिग श्रटेशन लेना है। इसलिए श्राप खत्म करिये।

श्री ग्रसद मदनी: मै खत्म कर रहा हूं। एक बात पूछता हूं कि ये गरीब लोग जो 66 से 71 के दरमियान ग्राए. पाकिस्तान से ग्राए वे इसलिए श्राए थे कि वहां के मसलमान भी उस हकमत से नाराज थे। लाखों की तादाद में यहां भ्राकर शरण ली थी। ऐसी हालत में ध्रगर 9-10 लाख हिन्द यहां ह्या गए क्राप्ते उनको शरण दी। श्रापने उनको हिन्दस्तानी बनाया । श्रापने उनको बोटर बनाया लेबिन भ्रव उनके साथ ग्राप क्या करने जा रहे है। बंगला देश से आए हैं उनके साथ यह क्यों हो रहा है। कुसूर यह है कि उनकी जवान बंगला है। जब कि बंगला भी हिंग्द्स्तान की जुबान है।

श्चि। असद मदनो । को श्राप इस तरीके से हक नहीं देरहे हैं। श्राप उनको शहरी मान कर भी उनको. श्रमम में बोट देने का हक काट रहे हैंती यह उनके साथ गलत हो रहा है। किस तरह से हमारी हक्मन का कानून दस्तूर चलेगा। श्रापको यह सोचना चाहिए। श्राप कियो बात पर स्तर कर रहे हैं, सुलह बेशक होनी चाहिए लेकिन सुलह ऐसी होनी चाहिए जिसमें शहरियों की मरू की इज्जत खराब न हो। इज्जत न लटे। आप गंडागर्दी को तग्हीज दें और ताकत के सामने झकें तो यह बात हिन्दस्तान की शान के खिलाफ है। इन्दिरा जी ने श्रपनी जिन्दगी में कभी ऐसा नहीं किया। इन ग्रहफाज के साथ में खत्म करता हं श्रीर इपकी ताईद करता हं। شرى استد مدنى (اتريرديم ): جناب دَيتي جيرمين صاحب -سور ۱۸۲۴ مین آسام کا صویه بنایه كيا - تهن ضلع اسمين بنكاء بولني والے تھے اور پانچ آسامی بولاے الے تھے ۔ آسم کے صوبہ مدین جو ونچی اور اچهی محفوظ جگهین ههر انہیں میں اسک ہولئے والے بستے تھے - وہ سہولیت سے اور اطمدان کے ساتھ زندگی گزارتے تھے – کوئی مشقت - تملیف اور بیماریان اوو ناهموار علاتے بسند نہیں کرتے تھے انگو آنے کی سیسی سنگه سے نواکھالی صرف پانچ روپیه میں لواوں کو دوگائل تک اور دوسرے علاقوں کو آکر کے ایسی زمیلوں کو آباد کوئے کے سہولتیں دایں ۔ اسطریقہ سے وعان دهیرے دهیرے ۸۰-۲۰-۱۹۵۰ یا کے ان زمانوں میں فیطیار آئیں اور انکو سرکار کی طرف سے ایسے علاقول میں جہاں سیلاب زیادہ آئے

ته اور زمینین کنتی تهین ناهمواو تهے - راسیے وفیرہ بہھن تھے - وھاں آبادى نهيى تهى اور زمين بيكار يوى تهى وعال زياده فصل أكي اوو سہولیت ہو انہیں اسطرے سے وہیں آباد کیا کھا ۔ آسام کے لوگ مزاج ع احماظ سے نوم صلح پسند اور رواداری مزام کے عہل جسکے نتیجہ میں وہ اس و آشائی کے ساتہ رہاتے تھے - خود وہ لوگ بھی ان باھر سے آنے والیں کو ایدی اہمتاوں میں کام کرنے کیلتے ہمیشہ ہواہر یسند کرتے رهے اور آنکے ساتھ بہت اچھے تعلقات مين زندگي گؤارتي رهے - ليکن سن ۳۵-۱۹۳۰ کے قریب جب یہ لوگ جو معلت کش تھے ۔ مزدور تهے اوو انکی تمام فیملهاں انکے سرد عررتیں دہیتوں میں لگے رہتے تھے -انكى حالت كجه سنبهاى اور انہوں نے کنچہ اونجے علاقوں سیس بہی جاکر کے زمینیں حاصل کیں تو انکے اور مقامی باشندوں کے درميان مين كجه كليس هوا -

سن ۱۹۳۹ مهن كانكريس منستري انگریہوں نے توزی تمام صوبوں میں اور وعال سر سعدالله صاحب نے مقامے ڈرائیل لوگوں کے تعاون سے منسقري بنائي - ان تمام واقعات کو دیکهکر نے جو پیدل آ رہے تھے اللى سستم قانون منظور كيا اور ان یر جو وهال رهای اتها آنے بر بسلم ير اور الكي الك علقي مخصوص كيَّ

أن پر ابنديان للائي گئين - ولا معاملات پرور اور استین جهکوت بوه اور ان بسلم والول کیائم لیڈر ہے سر سعد الله صاحب کے مقابلے میں بهاسانی صاحب لے وہاں تھار کی اور أيس أيمين الكراؤ شروع هوا -ملک آزادی کی طرف چل رها تها سرم ۱۹۳۷ مهن ملک آزاد هرا اور خود أسام بهى اسكا ايك فلع سلهمك چار تبانے چهور کر وہ هندوستان مهن آیا اور بالی قسترکت جو تها وه هاكستان مين چلا گها تها آسام بهي تقسهم هوا اسكي بعد وهان +190 مين المؤولل والات هوله جسمين ۳ لاکھ کے تربیب لوگ برہاد ھوکر اجو کر مشرقی پاکستان چلے گئے -کنچہ مہینوں کے بعد جب حالات ناوسل هوئه تو نهرو لهاتم يهكت ھوا 1901 میں لس پیکست کے نتيجه سهن جو لوك ادهر ادهر کئے تھے انکو واپس جانے اور آبان ھونے کا معاہدہ ہوا تو وہ لوگ أهسته أهسته سلم 1901 مهن أيك ایک دو دو فیملی آنی شروع هوئیس اور انہوں نے پھر آکر سال ڈیوھ سال کے اندر اینے ان علاقوں میں مکانات اور ديهات جو ته انكي آبادي شروع هوئي ارر وهان کهیتی اور مکانات وغیره بذالتے۔ احطریاء سے ۱۹۵۱ جنوری میں جو سينسس هوئي اسمين كلي لاكه أنهمي جو رائت کي وجه سے دوسري جکه چلے کئے تھے وہ موجود نہیں 1444 RS-13

تھے اور اسطرے وہ پورے پورے گاوں نل لکھے ہوئے تھے ۔ انمین کوئی رہنے والا نهیں تها - لهکن ایک طرف یه آهسته آهسته آئے اور دوسری طرف مردم شماری کی کوئی اهمیت نهیں تهی - کولی سرکاری کرمنچاری جاکر کاؤں میں بیٹھکر ہانچ فس کاؤں کی محادم هماري لكو ليعا تها اس لگے که راسعے نہیں تھے سواریاں نہیں تههن - بل نههن تهے اور به علاقے جو تھے یہ سپاہی علاتے تھے - بھداریوں کے ملائے تھے وہاں معجر تھے - کہوے مكورت ته - جائے آنے موں فات هودی تهی نه پل دی نه سوکهی تهیں - تو ۱۹۵۱ میں ایک طرف یهٔ آبادی باهر گلی قهی دوسری طرف سادهن نهين ته اسليه اهمهت کے ساتھ مکمل سیلسس ٹھیں ہوئی۔ جب دس سال بعد ۱۹۹۱ مهن دوباره مردم شماری هوئی تو بهت سی سوکیں بہت سے پل بہت سے راسی ان چکے تھے اور حکومت نے نھی سیلسس میں پہلے کے مقابلہ کئی کنا زیادہ رور اور تنصیلی معلومات کی هدایتیں کی تبھی ۔ جسکے الامعدہ میں ایک طوف وہ تھاکی تھن لاکھ آدسی جو چلے گئے تھے وہ نہرو لہاقت بھکت مہن وايس آله اور دوسوى طوف سادهن بوھے دس سال کے اندر پل بالے سوکین بلین سپولیتین اورات خکومت کی طرف سے تاکید ہومیں

Discussion not concluded

[غری اسعد مدنی] که هر هر آدمی کے حالات معلوم کریں - پهر ۱۹۲۳-۹۳ میں ایک خاص سازش کے تصت ایک منامہ کھوا کیا گھا کہ آسام نے اندر کئی لاکه لوگ فهر ملکی آکو رهایے هیں أور أسكا شور معجا - يهر اسكم تعيمهء میں یعنی علائوں میں ہونے پورے گاؤں میں **پولیس جا**تی رات میں کههر لیکی اور پهر دوسرس راسا میس ترکوں میں اد کر بارقر ہار کرا دیا جاتا - اسطرم کی مصهدت اور پریشانی میں ہورے ہوریہ کاوں تھے -جلكو اسطن دهكية جا رها تها -کوئی عدانتی کاروائی نهیں کسی کو صفائی ثبوت کا حق نہیں ۔ لوگ بهاکے دوڑے چاروں طرف کیے اور کہا هماری مدد کرو هم هر یه مصهبت آرهی هے جسکے نتیجه میں هم لوگ رهاں لگے - خود میں ان لوگوں میں سے تھا - جسوقت ہورے آسام کا دورہ کھا اور سارے فیکٹس جمع کئے جو حالات وہاں پیش تھے۔ يهر شيلانك جاكر فخر الدين صاحب اسوتت ته جالهه صاحب بهي جيف منستر تھے اور دوسرے منستر تھے -چیاب سکریتری هوم سیکریتاری وفهرا وفيرة سب لوگوں سے باتين إكين جو ظلم زیادتی هر رهی تهی اور جسطریته کے والعات پیش آ رہے تھ انکو بھایا اور ان سے کہا کہ آپ أيسا مت كيم الكو ديكه اور حالت کو درست کرنے میں یہ مورتين پيش لههن آني ڇاهگين -اسکے بعد هم نے رپورٹ مرتب کی اور يهان ساعرل كورنيليف سهي ينقش جى اسولت زندة تم اور بهماو تم انکو پیش کی اور ال بهادر شاستری

جي ايس زمانه مهن هوم منستر ته انكو دي اور بات جينت هوئي يهت طہیل گنتگو کے بعد بہت عرصة کے بعد اور *اس* درمهان کارروائیان هوتی رهیں۔ لهکن سال دو سال کے بعد پانیم سات سال کے بعد مختلف ایمههز ---بيكم قدوائي - قاكتر كويال ساكم اور بھی جاہوں نے جاکو دیکیا اور پھر ھم لوگوں نے بہت کوشش کی ڈو تريبونل بنا - اسكه بعد أن لوگون كو موقع ملا ستين شب ثابت كون كا اور بائيس کيزس بائيس هدرستاني ثابت هويًے چانها صاحب نے چيف سکریتری سے جمیعتمالعما کے نام چالهی لکهوائی جسمهن کها که کوئی فهر ملکی همارے صوبہ مهی نهیں ھے - تربیوائل کی ضرورت نہیں ھے اسليُم هم الربهونل تورق ههن -اسطوح کی کارروائی آئندہ نہیں ہوگی۔ اسكم بعد سنه ۷۷ مهى هددوستان مهن جنتا پيرية آيا اس پيرية مين پهر اس معامله کو هوا دی گلی ''آسو'' اور ''سنگرام پریشد'' کی تحریکیں شروع ہوئیں - انہوں نے كهذا شررع كيا كه يهان فهر ملكي مين - مين ايک حواله ديانا جاهتا ھوں ، وی - کے - بروا صاحب نے ایک تقریر میں ههندی انسالی تهرت میں کہا تھا که تهذیبی -نسلی - لسانی امتجار سے هو نان آسامی فیر ملکی ہے اور یہ بات یاد رکیلی جاهگے که آسام کبھی هندوستان كالحصة تهين رها أور يهان كوثي بھی آدمی جو کہھن سے تجارت کیلئے یا کسی اور کام کیلئے آیا اسکو غیر ملکی ممجها جائے - یعلی فهر آسامی نههن هیر ملکی سمجها جائے۔ کھے دوک اس ذھابھت کے تھے۔

آسو اور سلکوام پریشد کے لوگوں نے مهمورندم يغايا اور احكو لهكو أندولين غروم كها - اسوقات غرول سلها صاحب ملسار له - سهكها ساحب ھرم ملسکر تھے - انہوں نے اسکو اهميمت نهيل دي - اسميل يه كها کیا تھا کہ فیر ملکیوں کو آسام سے لكال جائم - جلتا يهرية المهن كاب بربورا چھف منسقر بنے تو انہوں نے پر**یس کانفرنس می**ں ایک بھان دیا که .... آسو اور گلسلگرام پریشد کے لوکے میرے ہاس آلے تھے اور میں نے ان سے یہ بات کہوں کہ ہم نان آسامهز کے خلاف ایجہالیشن کے جة ره هو وله نهيس جلية - فير ملکیوں کو نکلواؤ میری بات انہوں نے مان لی ہے اور میرے مھورے کے مطابق وہ فہر ملکیوں کے خلاف أندولن جلائهن كے - انهوں نے اسكو طالت دول - پہلے ۱۳-۹۳ میں معاملة زيادة يوها تها الراكفههال بلے . ته اسوقت تخر الدين صاهب -يقدّ جي - شاستري جي ارز هايد نلدا جي کے زمانه مهن بہت لمه ةسكشن كي يعه اين - آر - سي - كي كايهان كانكريس كو أرر بهمهمته العما کو دیکگیں تاکہ سٹیونس کے 📲نام دیکهکو سرکاری کاپیوں سے ملاکو انکے معاملات کو یکسو کیا جائے شہری مان لها جالے - يه كاپهان كاپ پريرزا ساحب نے پولیس کے قاریعہ فیط کرنے کی کوشھ کی تاکه آئندہ ثابت نَّه هو سکے - کُمِیں وا کامیاب ھولے کویں لامیاب نویں ھوٹے ۔اُ ھم نے کیوی یوی کسی غیر ملکی کو هندوستان کے کسی حصه میں فهر قانونی طور پر رکھلے کی حمایت ایک مذف کیلئے نہیں کی - یہ

مسکله ملک کا ہے۔ اور ملک کی مناظم کا ها دوسرے ماک کا سالهن هدوساني نهين هـ - غير ملکی ہے ۔ اگر قانولی طور پو حکومت اجازت دے دو وہ رہ سکال ھے ۔ حکومت شہری بنائی ہے تو حکومت بعالے لیکن کسی غیر ملکی کو فهر شانولی طور پر یهان کا شهری بنایا جالے اور کوئی ایسی کاروائی کهجائے تو هم اسکی بالکل حمايت نهين كرتے - البته مير ملكي کہکر ہلدوستانی شہویوں کے اس -سکون اور زندگی کو متاثر کیا جائے اور ظلم کیا جائے تو هم اسک خلاف هیں - کہا هندوستان مهں اس و قانورم کی حکومت هوگی یا بد املی اور فساد کی حکومت نہیں دیکھنا جامعے حمارے ملک میں کاسٹی **ٿيوشن ھے - کوئی ملکی ھے يا** فير ملكى 🙇 يه ديكيني كيللي قانولي کارروائی هوئی چاهائے - هم نے همیشه اس بات کو ترجیم دی هے اور کہتے هين - اغتلاف ۾ ٿو اس بات پر کہ ہندوستان کے شہریوں کو فیر ملکی كهكر ظلم ارر إيادتي كيجائے - هم اپوز کرتے ھیں ۔ تو ان اندولی کاریوں نے قعائی سال تک تعلیمی اداروں كو بلد كُوا ديا - وهان تعليم لههن هولے دی اور الکھوں۔ انسانوں کی ۔ نوجوانوں کی زندگی کو برباد کیا ۔ بوے ہوتے پرونیسریں کو - قاکٹروں کو ماهویی تعلیم کو انکه بحوس دو باوجود آسکے که وسامی تعے لهکن مرف إسلك كه الكا ساتم نهيل ديتے اهـ - مارا - قتل کیا - پونیورسالیوں ٠ بن مارا ارد انکے بورقنگ میں جاکر قتل کیا ، انہوں نے وہاں کی نجارت کو رهاں کی انڈسٹاری کو

[هری اسعد مدنی]

نتصان پہلچایا ۔ صرف پیکوولهم کو بلد کرکے قبوم کروڑ رویعہ کا دوسیہ لقصاب پہلجایا اور اسطرے سے وهاں کا اربوں روپیوں کا نقصاً ای هوا -انہوں نے رہاں کے پلوں کو ٹوڑا ۔ سترکوس کو دورا - بسوس کو جالیا اور اسکولوں کو ڈاکھائوں کو جھیا ـ هزاروں آدمیوں کو دیہاتیوں میں جاکو قتل کھا اور لائھوں آدسھوں کے مکانات کو لوٹا اور انکو جالیا اور میں نے اسی ھاؤس میں انڈییا ٹو قے کی ایک کاپی پیش کی تھی جستهن قولو چهها نها اور السهن لکھا تھا ددآسوہ، کے لیقرس کھوھے ته . . دا دین دولس کو بیک، . . یه وهی لوگ ههن که جلهون نے املان کیا تہا که وہ ۲۱ جنوری کو قرنكا نههن ليراني ديلكي - هم أسكا اہمان کریلکے اور انہوں نے جھندے کا ايمان كيا اور أسكو جاليا - روندا اور پھاڑا اور کھا گھا انہوں تے تہمی کھا۔ ایسے اندی نیشلل لوک جلهوں نے ایسی کارروائهاں ملک کے ساتھ کھی اے انکے ساتھ سنجھوته هو وها هے اور انکی قمانت پر جنیر هم همیشه ارتے رھے - ہے هم رمایتیں دے رہے میں یه تهیک هے که هم ان بانوں کو بهول جائيں يه بهي لميک هے كه سنجهوته هوبا جاهك لهكبي اكر ملك 🔝 انکے ساتھ رمایت کر رمیا ہے۔ تو اس يم انکي هيپ افرائي هوگي - په 🔻 سوچنا جاهلے که هندوستان کے قائدہ میں جے یا نہوں - کیا انہوں نے فلڈا گردنی نہیں کی ۔ کیا انہوں تے تتل و فارتکری نهیں کی - کیا انھوں نے والللس نہیں کی - اگر هم والنفس کی طاکت کے ساملے جوکهلکے تو وائللس رهیکی یا اس و قاتری رها -ملک میں کیا هوا اسی طرح سے انہوں نے نعوہ لکایا کہ ددآسام قار آسامهزه، اسکے ساملے جهک کالے تو پهر کل .... «بناال فار يلكانيزه، ... اور دايهار فار بهاریزه در دومهاراشتر فار مهاراشتریدس، . . . ارر "کجراس فار كجراتيز ع . . . هي هو جائيكا اور پهر هلدوستان کهاں رہے کا۔ اس سے همارے ملک کی ترقی کو نتصابی پہلچتا ہے۔ ایسی طائدوں کے ساملے جهکلا ملک کے کئے کوئی بہلالی کا لام نهين - سين آپ س پوچهانا چاهدا هوں که جن سرکاری مقازموں نے گورنمهلت آف اندیا کی هالهسی کی کهل کو مطالفت کی۔ لوگوں کو آنے نہیں دیا۔ ایسینز کو آیم - ایل ایو دو نامینیشی نهیں داخل کرنے دیا اور انکے لوکے آندولن چدرھے ههن- أنكى بيويان أندولن چا رهي هين- اور تمام غير قانوني حركتين کر رهی هیں۔ ایسے لوگوں کو هم نے معاف کودیا اس سے سرکاری مدزمیں میں رفاداری بوھے گی۔ یہ تو ماقائی ہاتیں کرکے پورے مندوستان کے وفاد دو نقصان پهنجائهنکے، یه باس مهري سمعه مهن نههن أتي- اس لئے اُن چیزرں کو د کھنا چاھئے ان لوگوں نے ۱۳ لاکھ آدمیوں کے خلاف آہجیکشن داخل کہا اور ایسے فیر قانونی آبجیکشن قبول ککے گئے۔ یه الیکتروول رول میں موجود ہے۔ اليكشن كميشي كي عدايت تهي كه نمبر ۷ کے فارم پر ہونا جاہئے اور اس کے خلاف ہونا چاھٹے کہ جسکا نام ووقرلست مين هو اور اسي حلقه میں اسکی شکایت کرنی جاهگے۔ كوالا مي أيس هولي جاهاً، لهكن اس میں کسی کا خیال نہیں رکھا

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کم سے کم پانچ مروتوں کی سیلکووں مردوں کے ساملے قالہوری ہوئی ہے -ةاكتر كا سرتينيكه بيم كيا كها كم مورت إس قابل تبين هـ بجه · هول والا هي اسائه ولا نهيس أسكتي -وہ کہتے ہیں کہ نہیں اسے آنا پڑیا۔ اتنا ايمان هوا هے اسكا - عورت للي اور کہا کہ میرے شرہو کا تام آپکی لست میں موجود م اور میں اسکی عورت هون تو انسر صاحب فرماتے هیں انهکھی کمیشی کے که کیا قبوت هے که تم اسکی پینی هو -ای مهری نههو، مورتوں کے ساتھ اسطرے كا ايمان هوتا هي احطوح به كهكو آپ گہرت مانگیں اور آپ اسطاح سے بے عزت کریں یہ تھیک نہیں ہے اسمارے مد الكهوں آدمى پريشان هو رهے هيں - الهكشن كيهشن ١٣ لاكه كيلكه لكائے - سب سے پہلے تو يه ثبوت مانکتا هے که غیر ملکی هے اس ثبوت كيللي آدهه كهلته اور أسكي ہمد نوٹس کی بات آتی ہے۔ وہ اگر المين دے که وہ اندين دے - اسكے ترایل کیلئے آدھا کہنتم کا رتت لكائے - كہلے كا مطلب يه هے كه ۱۳ لاکه گهانته هوتے هيں ـ ۱۳ لاکه گہنتہ کے ۱۲۸ سال بنتے ھیں۔ ۱۲۸ سال ۲ مهینه ۲۹ دی ۱۹ گهنته کل ۱۳ لاکه گهنته هوتے هیں اسرح سے الهکشن کمهشن نے کون سا جادو کیا هے کہا هوا هے سروی سنجه میں تهیں آتا - ان سب چیزوں کو سمچلا چاہئے۔

ختم کر رها هرن - ایک میں پوچهتا هوں که لوگ جو ۲۲ سے کے درمہاں آئے - پاکسقان سے

کیا ۲۰ - ۵۰ هزار تابوی مهل آبحهكشن أأيه اور قهول نقيه كنه اور چسکو آپ نے غهر ملکی کها هے اسکے خلاف ثبوس دينا جاهيّه- ثبوت نهين دیا کها اور نوٹس جاری کردیگے گئے۔ ولا خارج هولے چاعگیں تھے ٹیوے کے يغهر - لهكن يه نهين هوا الور آبيا جر ثهوت ماذكا ولا ثهوت انصاف اور قانون کی رو سے کہسے صحع می أيويةنس ايكت موجود هے۔ كوئي قعل کرے یا چوری کرے یہا ڈاکھ مارے۔ ایریڈنس ایکٹ کے مطابقے هي گهوت هوتا هے- ليكن اسكے بحوالے 🖟 جو تمام دنیا کی مدالعوں میں سانی جاتی هیں آنے شتین اور ووہ کو باقی رکھلے کے لگے آیے گہا كه برته سرتهفيك الله أسام مين ولا تهين هوتا - 🔑

پهلی چيز تو يه که برته سرقيفيكمه لاي - جسكا كولي انتظام نہیں دو۔ری جیز مانکی کھ نیشل ساليزنشپ سراليفهانت الود وسكا كوأي پروويزن نهين - تيسري چيو آيي کہا کہ ۱۹۷۱ کی لسٹ میں نام مرنا هاهي - صرف ٢٩ حلتون مين ۱۲۱ ڪلقون مين سے جسميور اقلیتیں رهتی هیں جلکی است کی ضرورت تھی وهاں تم هوکر کے بالی سب میں لست سوجوں ہے۔ مرف ۲۹ حلقوں کی لسع لم گورنمانت دیتی هے اور نه الهکشون ا کمیشن دیتا ہے کسی کے پاس نهیں ہے - اگر کسی پولیٹیکل پارٹی یا کسی کلڈیڈیٹ کے ہاس ا نکل آئی وہ کہیں سے لیے آیا ہوا اسكو ولا مالته نهين - روز لوك. دورتے رہے ۷-۸ گھلته لوگ الی میں کہوے رہتے رہے - یہ بلاد اللہ ہے کد

[شری اسعد مدنی] آئے وا اسلام آئے تھے کہ وہاں کے مسلمان بھی اس حکرمت سے ناراض تھے - لاکھوں کی تعداد میں آپکے يهان آكر پناه لي تهي - ايسي حالت مهن اگر نودس لاکه هندو بهان آگئے آیے انکو شرن دی۔ آیے انکو هد 🍆 نانی بنایا یے انک وروٹر بلاياً ليكن اب الكي سائه آپ کیا کرنے جا رہے میں جر بنکله دیش سے آئے هیں انکے ساته یه کیرن هو رها هے - قصور په هے که انکی زبان بنگله هے جبکه بنگاه بهی ھندوستان کی زبان بھی بنگلہ ہے۔ ان غریبوں کو آپ اس طریقہ سے حتى نہيں دے رہے هيں - آپ انكو شهری سان کر بھی انکو آسام سین ووق دیلے کا حق کات رہے میں تو یہ انکے ساتھ فلط ہو رہا ہے - کسطرح سے هماری حکوست کا قانون - دستور چلے کا - آپکو یہ سوجلا چاھئے آپ کس بانعا ہو صلح کر رہے۔ بھیں آ۔ صلم بيهك هوني چاهي لهكن صلم ایسی ہوئی چاھئے جس سے شهریوں کی - ملک کی عدم خراب نه هو - عوت نه لئے - آپ فلده کردی کو ترجیع دیں اور طاقت کے سامنے جهدين تو يه بات هددوستان كي شان کے خلاف ہے اندرا جی نے ابنی زندگی میں کبھی ایسا نہیں کیا -ان النباظ کے ساتھ میں ختم کرتا هون اور اسكى تائيد كرنا هون -]

श्री रुद्र प्रताप सिंह (उत्तर प्रदेश): श्रादरणीय उपसमापति सहोदवा भाषका मैं हुदय से शामारी हूं कि को आपने नही

नागरिकता (संशोधन) विधेयक 1985 पर ग्रपने विचार प्रकट करने का श्रवसर दिया है। मैं इस विधेयक का समर्थन करने के लिए खड़ा हुआ हुं। महोदया श्रापने मझे तो इस अत्यन्त महत्वपूर्ण विश्वेयक पर श्रपने विचार को प्रकट करने का श्रवसर तो दिया ही साथ ही आपने मुझे अपने ही दल के एक सम्मानित साथी के श्रीजस्वी भाषण के पश्चात् श्रपने विचारों को प्रकट करने का जो अवसर प्रदान किया है उसके लिए मैं भापका हृदय से ग्राभारी

महोदया इस विधेयक पर इस सदम के दोनों पक्षों के माननीय सदस्यों ने अपने सारगर्भित विचार प्रकट किये हैं ग्रीर में समझता हूं कि उनके विचारों को प्रकट किये जाने के पश्चात् इस विधेयक पर कोई विशेष बात कहने को नहीं रह गई है। लेकिन फिर भी मैं कुछ निवेदन करना चाहंगा । सर्वप्रथम तो मैं भी श्रपन पूर्ववक्ताश्रों की भांति इस बात को कहना चाहंगा कि 2 फरवरी 1980 को जो श्रासाम के मल निवासी थे उनकी श्रोरसे एक ज्ञापन हमारी स्वर्गीय प्रधतन संती श्रीमती इन्दिरा गांधी जी को दिया गया था जिसमें उन लोगों ने इस बात पर चिन्ता व्यक्त की थी कि ग्रासाम में विदेशियों के ग्रागमन से उनके लिए केवल श्राधिक संकट हीं नहीं उत्पन्न हुम्रा है बल्कि उनकी सभ्यता और संस्कृति को भी भय उत्पन्न हो गया है। हमारी स्वर्गीय प्रधान मंत्री श्रीमती गांधी ने निरन्तर भ्रासाम की समस्या का निराकरण करने का प्रयास किया। उन्होंने वहां के नेताओं से ग्रौर वहां की ननता के साथ बातचीत का श्रपनाया भौर आसाम में विधान सभा के बनाव भी सम्पन्न हुए । विधान सभा के चनाव हो जाने के पश्चात समस्या का एक प्रकार से निराक्तरण हो गया था। मगर फिर भी हमारे दल के नेता परम <del>ब्रादरणीय</del> श्री राजीव गांधी जी यह चाहते भे कि च केवल समस्या का निराकरण हो बल्कि उसका स्वायी रूप से समाधान हो । उन्होंने पुनः असम के नेताओं से बातचीत की और बातचीत के पक्कात स्वतंत्रता दिवस के दिन एक समझौता हुआ।

इस समझाने पर, जो लोग आन्दोलन चना रहे थे ग्रीर ग्रमम की महान जनता ने अपनी पूरी सहमति और स्वीकृति प्रदान की । जहां तक श्रमम की समस्या की बात है तो समस्या के रूप में बहुां कुछ भी नहीं रहा है श्रिपित यह समस्या ग्रसम में न होकर राजनैतिक दृष्टि से मस्तिष्क में उपजी एक समस्या है। मेरे विचार में, असम में कोई समस्या नहीं है बन्कि समस्या जान**बुसकर बना**ई जा रही है। वहां के लोगों ने तो इसका द्वदय से स्वागत विध्या है। हमारे प्रधानमंत्री जी ने प्रधानमंत्री का कार्यभार ग्रहण करने के पश्चात जिस प्रकार से पंजाब की समस्या, असम की समस्या ब्रॉर गुजरात वी समस्या का निराकरण किया है, इमसे यह माननीय सदन, भारत की जनता और सम्पूर्ण विश्व ग्राश्चर्य-चिनि है। ग्रव कुछ निहित स्वार्थ वाले लोग विदेशी णक्तियों से प्रेरित होकर ं जो हमारी प्रधानमंत्री जी की उपलब्धियाँ हैं, जो हमारी सरकार की उपलब्धियां हैं उन्हें झुटलाना चाहते हैं ग्रौर उनकी क्रोर से इस बात का प्रयास हो रहा है कि वह जो समझौता हम्रा है उसमें कमियां बताई जायें। श्रभी श्रसम का जो समझौता हुआ, उस पर दोनों माननीय सदनों में विस्तारपूर्वेक चर्चा रुई। अहां तक में समझता हूं न केवल सत्तारूढ़ दल के सदस्यों ने बल्कि विपक्ष के माननीय सदस्यों ग्रौर नेताग्रों ने भी उस महान समझौते का स्वागत किया है और प्रधान मंत्री जी की मूझबूझ, उनकी कार्य-कृशलना ग्रौर उनकी महानता की भूरि भूरि सराहना की है। ब्राज जो विधेयक यहां पर इमारे सुयोग्य गृह मंत्री जी ने प्रस्तृत 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 मदस्यों ने ऋसम की समस्या को यहां पर बढ़ाचढ़ाकर प्रस्तुत 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 क्रीर उसको जो कानुनी स्वरूप दिया जाना है, नया उसमें कोई कमी है।

जो विधेयक यहां पर प्रस्तुत किया गया
है, मैं दाबे के साथ कह सकता हूं कि
यह जो समझौता हुआ है, उसके शतश्रांतशत यह अनुकप हैं और उसकी
भावना के अनुकार पहें। इस विधेयक मे
उन सभी कातों का प्रावधान किया गया
है जिसके जो समझौता हुआ है उसका
समृचित रूप में निराकरण हो सके।
मैं इसके लिए प्रधानमंत्री जो और गृह
मंत्री जी तथा अपनी भरकार को ह्वंदय
से बधाई देना चहुता हूं। मुझे आशा है
कि यह जो विधेयक लाया गया है इसके
हारा जो हमन और हमारी सरदार ने
एम ऐतिहासिक फैमला किया है. उससे
उसका कार्यान्वयन हो जायेगा।

महोदय, जद्दां तकः ग्रसम की नागरिकता का प्रश्न है उसके बारे में मैं कहना चाहुता हं कि बहुत गंभीरना से यिचार-विमर्श करने के पश्चात् ही यह समझौता किया गया था। ग्रीर ग्राज फिर उस में शंका किया जाना मैं समझता हूं कि वह जो समझौता हुन्ना है उसकी भावनाश्रों के श्रनुरूप महीं है। विधेयक सरकार द्वारा यहां पर प्रस्तुत किया गया है पहले से उसके बारे में यह कहना कि इस विधेयक के द्वारा जो समझौतां किया गया है पूरा लाभ मिल सकेगा या नहीं मिल सकेगा इस के बारे में तो मैं यह कह सकता हूं कि यह विधेयक जो यहां पर प्रस्तृत किया गया है जो समझौतें में बातें हुई हैं वह पूरा पूरा समझौता अमल में आ सकेगा इसके लिए इस में प्रावधान किया गया है। मैंने इस विधेयक की सभी धारात्रों को तथा उपधाराश्रों को बहुत गम्भीरतापूर्वक पढ़ा है और मैं इस निष्कर्ष पर पहुंचा हूं कि विधेयक निर्दोष है ग्रीर इस में कहीं पर दोष हमें दिखाई नहीं पड़ता है। इस विधेयक के द्वारा जो हमारा श्रासाम का समझौता हुन्ना 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 ग्रधिक समय न लेते हुए इतना ही कहूना चाहुंगा कि भारत जैसे महान राष्ट्र में; भारेंब जैसे विकास राष्ट्र के भीवमें में [श्री रुद्र प्रताप सिंह]
सदैव समस्याएं बड़ी समस्याएं श्राती रही
है श्रीर श्राती रहेंगी। प्रश्न केवल यह
है कि हम उन बड़ी समस्याओं को बड़ी
चुनौतियों का किस प्रकार से सामना करेंगे
तो प्रश्न परिस्थितियों का नहीं है प्रश्न
हमारे दृष्टिकोण का है हम किस दृष्टिकोण से परिस्थितियों का सामना करना
चाहते हैं श्रीर किम दृष्टिकोण से हमें
राष्ट्रीय समस्याओं का निराकरण करना
है किम दृष्टिकोग के साथ हमें समस्याओं
का समाधान करना है। इसके सम्बन्ध
में हिन्दों की एक रुबाई पढ़ कर अपनी
बात को समान्त करना।

पड़े मुसीबत मुझ पर इतनी सभी मुसोबत कम हो जाए,

शकें न दिल की कभी जवानी चाहे सांत खत्म हो जाए,

ुं दुब की ज्याला में तप तप कर इतना जह गर्म हो जाए,

ं िक पर्वत पर मैं पांव घर्हतो वह भी जारा नर्महो जाए।

नुत्रे प्राशा है इस भावना से दूम काम करेंगे श्रोर श्रासाम की श्राधिक, सामाजिक, राजनैतिक, सांस्कृतिक समस्त समस्याओं का हम निश्चित रूप से निरा-करण कर सर्वेंगे । धन्यवाद ।

🗽 श्री भंवरलाल पंवार (राजस्थान) : - उपसभाव्यक्ष महोदया, मैं इस बिल का स्वागत करते हुए समर्थन करने के लिए खड़ा हुन्ना हं। ब्रभी कानूनी मुद्दे ट्रेजरी बैंचेज से माननीय सदस्यौं संविधान सौर सिटीजनशिप एक्ट ं प्रावधानों ता इवाला देतें हुए इस बिल का वैधता एवं ग्रावश्यकता के बारे में - तो विवचन कर दिया है उसकी पुनरावृति न करने हुए केंबल माननीय विपक्ष के सदस्यों द्वारा जो विरोध प्रकट किया गया है उसके संदर्भ में जो मोटे रूप से दो महे उठाये गये हैं उनके बारे में दो गहद कहुंगा । पहला जो मुद्दा उठाया <del>न् गया है वह नागरिक के डिटेक्ट होते के</del> पम्बात् 10 ताल की श्रवधि के बाद े नागरिकता देने बाबत जो मसला है उसके लिए उठाया गया है और 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 श्राया है और 16 साल तक भारत के साथ जुट कर नहीं रहा है उसको वापिस नागरिकता देने पर 10 साल की जो भ्रवधि इस में बताई गई है थह ग्रन्चित नहीं कही जा सकती है। यह बिलकुल ही उचित है, उचित भ्रविध है ग्रीर समयानुकूल है। दूसरा महोदय, 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 चाहुंगा 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, श्रापने देखा है श्रीर भारत को जनता जानता है कि वर्तमान भारतीय जनता पार्टी जो पूर्व में जनसंघ थी अपने राजनेतिकगुरू आर० एस० एस०के माध्यम से भारत को जो सेक्यूलर स्टेट बनाना चाहती थी उनके दिमाग में दोहरी नागरिकता की बात रही है। वह बात श्रभी भी परिलक्षित हो रही है। महोदय कांग्रेम ने जो संविधान दिया वह नोन सेक्युलर स्टेट का दिया श्रोर ग्रब तक उसी प्रकिया पर चल रही है श्रौर यह जो बिल भ्राया है वह शपने भारत के यवा प्रधान मंत्री जी ने श्रासाम का जो एँकाडँ किया है उसको कार्यरूप परिणत करने के लिए है। इसका मैं स्वागत करते हुए समर्थन करता है। धन्यवाद ।

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

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

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CALLING ATTENTION TO A MATTER
OF PUBIC IMPORTANCE—Contd.
IMMEDIATE NEED TO PAY REMUNERATIVE PRICES TO SUGARCANE
GROWERS FOR THEIR PRODUCE IN
VIEW OF FALL IN PRODUCTION OF
SUGAR

श्री ग्रश्विनो कमार: माननीय उप-सभाव्यक्ष महोदय, ग्रापने ग्राज 6 बजे मुझे ६स विषय पर बोलने का समय दिया इसके लिए मैं आभारी हुं, सौमाग्य मेरा इस समय केवल एक बात मैं श्रापके माध्यम से इस सदन में रखना चाहता हूं कि 20 नवम्बर की इसी सदन के प्रंदर एक भार्ट ड्यूरेशन डिबेट हुआ था "सिच्एमन "अरोइजिंग आउट श्राफ स्टीप राइज इन प्राइसेज इसेंशियल कमोडिटीज", जब यह भोक्ताम्रों का प्रकृत था तो उस डि**बे**ट के लिए सदन ने लगभग 4 घंटे समय दिया था और भ्राज संयोग गेसा हैं कि यह किसानों के मसले का प्रशन हैं, डेढ घंटे का समय प्रातः मिला है और अब गायद मेरे बाद कोई बोलने वाला है भी नहीं यह प्रश्नवाचक चिन्ह है । यह विचित्र संयोग इमारे सदन के ग्रौर हमारे देश की उस चीज परिनक्षित करता है, सरकार के कार्यक्रम को परिलक्षित करता है कि जब क्विसान का विषय भाता है तो उसके समन नहीं हैं, समन भ्रब्स है।

उत्पन्नाध्यक्ष (श्री पवत कुमःर वःसन) : आप पूरा ले लीजिए ।

श्री ग्रश्विती कुमार: श्रीर जो सरकार की पढ़ित चल रही हैं (व्यवधान) श्राज जो स्पष्ट हुआ है उसके ग्रामे से अनुभव हो रहा है श्रीर जो नीतियां भी दिखती हैं, जहां तक किसान का प्रश्न है, किसान के पिछड़ेपन को दूर करने के लिए ग्राज सरकार की नीतियां कारमर नहीं हो रही हैं। ग्राज गन्ने के दाम का प्रश्न है जिस विषय पर चर्चा हो रही है सबको पता है, श्राम श्रांकड़े सब लोग जानते हैं पिछले 3 वर्षों में महंगाई लगभग 50 प्रतिशत कह गयी है, श्रन्य जो बाबाल है उनके दाम बहते गये, ग्रांकार इनको नहाती गयी है परंत जब

चीनी, शुगर 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 और गन्ने का 13 से 14 हो गयाश्रर्थात् गन्ने के किसान के लिए कोई स्विधा प्रदान नहीं की गयी धौर जब यह नयीं सरकार बनी तो इस समन नये साल के ग्रंदर ग्रापने एक काम जरूर किया कि एग्रीकल्चरल कमीशत का नाम बदलकर कास्ट एण्ड प्राइस कमीशत रख दिया - 1 जगी कि शायद फास्ट जायेगी कि किसान की कितनी लागत श्राती हैं । परंतु **श्रा**ज ऐसा लगता कि उस श्रीर कोई भी सरकार का पक्ष नहीं उठाया 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 केवन किसान नहीं 🕏 ।

6 P.M.

मै ग्रापके माध्यम से सदन को यह भी स्मरण कराना चाहता हूं कि 70 प्रतिशत किसान देश का संव से बड़ा उपभोक्ता है । भगर इसके पास सम्पन्नता भायेगी तभी भापका कपड़ा विकेगा श्रीर बाकी चीजे बिकेंगी । परन्तु ऐसा लगता है कि उस भ्रोर महान दुर्लक्ष्य होता चला जा रहा है। इसी बीच गन्ने का दाम तो बढ़ाया ग्या, पर क्षाथ ही ताथ चीनी मिन व लों को भो स्विधाएं प्रदानं की गई। उनका दाम लेव का जो परसेंटेज था 65 से 55 परसेंट **बर दिया गया, 40 पैसे वहां दाम बढ़ा दिए** गएं खुले बाजार में बेचने का छट दा। कई माननीय सदस्यां ने भा कहा है, यखबारों में निकला है कि एक ग्रार्डर से दाम बढ़ाने से चीनी मिल गालिकों को लगभग 500 करोड रुत्ये की स्नामदनी हो सकेगी। को किस । दिया, यह सोचने की बात है पिछले तीन वर्षी है ग्रन्दर जो फार्म की इ पुटस हैं जो चीजें किसान के उपयोग श्राने वाली हैं जो आप है हाथ में हैं, पानी का दाम, बिजली ा ताम, फार्मच इनपृद्ध कष्टिलाइकर, शैक्टर, डीजल इंजन इन के दोम कि: वार बद द ? प्रगर उन के सबका