

MR. DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill. There are no amendments.

Clauses 2 and 3 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI PATTABHI RAMA RAO: Sir, I move:

"That the Bill be returned." *The question was proposed.*

SHRI HAREKRUSHNA MALLICK (Orissa): **Sir**, I want to inform the House so far as the lacunae are concerned...

(Interruptions).. Don't worry. Wait-----
(Interruptions).. Then I will take one hour if you behave like this. I am informing the House a very important thing. In Sikkim the Central Excise duty is not applicable. Because of this lacuna, the industrialists and businessmen are treating this as a hide-out and we are losing Excise duty to the extent of Rs. 60 crores. It is so much so that some concerns are manufacturing, packing and processing and exporting from the mainland in fake names to Sikkim. The bogus factories should be sealed and these concerns should be suspended. And there too let the Central Excise duty be applied so that we do not lose.

MR. DEPUTY CHAIRMAN: The Minister can note it and look into the matter. The question is:

"That the Bill be returned."

The motion was adopted. 1435
 LS—II.

I. STATUTORY RESOLUTION SEEKING APPROVAL OF ISSUE OF GOVERNMENT OF ASSAM NOTIFICATION No. PLA-906/82/125 DATED 30TH SEPTEMBER, 1982.

II. THE ASSAM APPROPRIATION (NO. 3) BILL, 1982.

MR. DEPUTY CHAIRMAN: We shall now take up (the Assam Resolution. Let them move it. Please move the Resolution first.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RANJAN LASKAR): Sir, I beg to move the following Resolution:—

That in pursuance of sub-section (2) of section 2 of the Essential Services Maintenance (Assam) Act, 1980 (41 of 1980) as amended by the Essential Services Maintenance Act, 1981 (40 of 1981), this House approves the issue of the Government of Assam, Political (A) Department, notification No. PLA-906/ 82/125. dated the 30th September, 1982. declaring the following services to be essential services within the State of Assam for the purposes of the Essential Services Maintenance (Assam) Act, 1980 (41 of 1980):—

(i) All services in any establishment or shop dealing with the essential commodities declared as such by the Government of India under the Essential Commodities Act, 1955 (Central Act No. 10 of 1955) from time to time and licensed under the Assam Trade Articles (Licensing and Control) Order, 1982, dated 22nd June, 1982 and the Assam High Speed Diesel Oil (Distribution and Control) Order, 1981 and Assam Paddy and Rice Procurement (Licensing and Levy) Order, 1981; and

(ii) All services in any establishment or shops of appointed dealers which include the wholesaler and re-

[Shri Nihar Ranjan Laskar]

tailer dealing with the essential commodities as declared by the Government of India under the Essential Commodities Act, 1955 from time to time and licensed under the Assam Public Distribution of Articles Order, 1982.

Sir, while moving this, I want to say that the entire House, the hon. Members of this House, and also the country as a whole now are fully aware of the happenings in Assam. For the last- three years the situation in Assam is bad. Not only that. People who are associated with this agitation are declaring, from time to time some band's, agitations, with the result that the public as a whole is suffering. This is exactly for that reason, to give assistance to the public so that they get their regular supplies and all that, this resolution has been brought before the House for approval. I hope the House will give its consent

The question was proposed.

MR. DEPUTY CHAIRMAN: There is one amendment by Shri Jagdish Prasad Mathur—not there.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PATTABHI RAMA RAO): Sir, I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Assam for the services of the financial year 1982-83, as passed by the Lok Sabha, be taken into consideration."

The question was proposed.

MR. DEPUTY CHAIRMAN: Now both the Statutory Resolution and the Motion for the Assam Appropriation (No. 3) Bill, 1982 are open for discussion.

श्री सदाशिव बागाईतकर (महाराष्ट्र): मेरी आपसे एक प्रार्थना है कि यह आज मूव तो हो गया है सदन में लेकिन इसको पास कल करायें। कल हम देर तक बैठेंगे इसको पास करायेंगे। अब पीने सात बज चुके हैं।

श्री उपसभापति : मुझे कोई आपत्ति नहीं है अगर सदन की राय हो। (व्यवधान)

श्री लाडली मोहन निगम (मध्य प्रदेश) : कल हम देर तक बैठेंगे यह हम आश्वासन दे रहे हैं।

उद्योग मंत्रालय में तथा संसदीय कार्य विभाग में उपमंत्री (श्री कल्पनाथ राय) : आज इस बिल को पास करना है। आदरणीय विरोधी दल के नेताओं को खुद ही समझना चाहिये। वे खुद ही समय ज्यादा लेते हैं। सरकार का बिल है, इसे आज ही पास करना है।

SHRI PATTABHI RAMA RAO: I may be allowed to say. Tomorrow there are two important Bills—the Appropriation Bill and the IDBI (Amendment) Bill, apart from other Bills.

श्री सदाशिव बागाईतकर : उसे कल पास करेंगे। (व्यवधान)

श्री लाडली मोहन निगम : कल कोई आखिरी दिन नहीं है जो इसे आज ही पास करवाना चाहिये है। (व्यवधान)

श्री कल्पनाथ राय : मैं आपसे कह रहा हूँ...

श्री लाडली मोहन निगम : असम के सदस्य चले गये हैं।

श्री सदाशिव बागाईतकर : जितने बिल भी कल होंगे सब को पास करेंगे।

श्री लाडली मोहन निगम : कल लेट बैठेंगे।

श्री उपसभापति : मैं आपकी बात समझ रहा हूँ। दूसरी तरफ भी आप देख रहे हैं। दोनों तरफ से सहमति हो जाये तो मुझे कोई आपत्ति नहीं है।

श्री कल्पनाथ राय : यह आज ही पास करना है।

श्री लाडली मोहन निगम : इस तरीके से कैसे पास होगा। परस्पर सहयोग से काम होता है। (व्यवधान)

श्री कल्पनाथ राय : मैं आपसे निवेदन कर रहा हूँ कि आपके सदस्यों को भी उपस्थित रहना चाहिये। हमारी पार्टी के सदस्य उपस्थित हैं। इसकी अरजेंसी है।

श्री लाडली मोहन निगम : इसकी अरजेंसी नहीं है। कल कोई आखिरी दिन नहीं है। ऐसा नहीं है कि इससे लोगों की तनख्वाह रुक जायेगी।

श्री सैयद सिकत रजी (उत्तर प्रदेश) : मैं याद दिलाना चाहता हूँ कि जब हमारा बिल डिस्कस हो रहा था तो हमारे अपोजिशन के साथियों ने यह कहा था कि हम रात को 9 बजे तक बैठेंगे। इस बात की क्लेरिफिकेशन कर दी जाये। जब क्लेरिफिकेशन हो गई और आपकी क्लियर हो गई उसके बाद बहस शुरू हुई। उसमें काफी समय बरबाद हो गया था। मैं यह कहना चाहता हूँ कि यह बहस आज ही खत्म हो जानी चाहिये। इसे पारित किया जाए। हम लोग बैठे हुए हैं। आपने कहा था कि हम 9 बजे तक बैठेंगे। (व्यवधान)

श्री लाडली मोहन निगम : हम लोग चले जाते हैं। आप पास कर लीजिये।

श्री उपसभापति : ऐसा नहीं होगा।

श्री लाडली मोहन निगम : आपसे हम निवेदन कर रहे हैं कि आप इसे कल के लिये रख लीजिये।

श्री उपसभापति : ऐसा है कि कम्परो-माइज कर लेते हैं। अभी कई मेम्बर ऐसे हैं जो बोलने वाले हैं और यहाँ मौजूद है, लैट दैम स्पीक। जो बच जायेंगे वे कल बोल लेंगे। (व्यवधान) इसको एक घंटा टाइम एलाट हुआ है, ज्यादा टाइम भी एलाट नहीं हुआ है। मेम्बरों को बोलने दीजिये। फिर उसके बाद देखा जायेगा।

श्री कल्पनाथ राय : मैं निवेदन कर रहा हूँ कि इस बिल को आज ही पास करना है। अगर कोई मेम्बर उपस्थित नहीं है तो इससे यह पता लगता है कि वह कितना जिम्मेदार है देश के प्रति और समाज के प्रति (व्यवधान)

श्री लाडली मोहन निगम : हर काम रोज बढ़ता जा रहा है। (व्यवधान) इस पर कल बहस होगी।

श्री कल्पनाथ राय : एक ही पार्टी के नेता चाहते हैं और कोई विरोधी दल का नेता है नहीं।

SHRI HAREKRUSHNA MALLICK (Orissa): I wrot.

SHRI NIRMAL CHATTERJEE (Wes» Bengal): We want.

SHRI LADLI MOHAN NIGAM: Everybody has approached you, Sir.

श्री कल्पनाथ राय : आज ही इसे पास कीजिये।

श्री लाडली मोहन निगम : हम जा रहे हैं। आप कर लीजिये।

श्री उपसभापति : नहीं, ऐसा नहीं होगा, एक सहमति हो जाये तो अच्छा है।

श्री लालो मोहन निगम : आप चाहते हैं कि अकेले बहस करेंगे तो हम चले जाते हैं।

श्री सदाशिव बगईतकर : ऐसा है कि देश के प्रति हम अपने कर्तव्य को निभा रहे हैं या नहीं इसका व्याख्यान कल्पनाय राय जो मे सुनने नहीं आए हैं। हम भी अपना फर्ज जानते हैं। जब हम कह रहे हैं कि कम 10 बजे तक बैठने को तैयार है हम सब कल पास कर देंगे तो आप इसे मान लीजिये और अगर इसे मंजूर नहीं करते हैं तो ठीक है जैसी आपकी इच्छा हो आप करिये।

श्री उपसभापति : जो बोलना चाहते हैं उनको बोलने दीजिये। जो बचेंगे उनको दूसरे दिन बुला लेंगे। (व्यवधान)

श्री लालो मोहन निगम : एक-अध को बुलवा लीजिये।

श्री उपसभापति : जिनका नाम मेरे पास है उनको ही बुला रहा हूँ। बाहर से किसी को नहीं बुला रहा हूँ। इसको ही जगने दीजिये और जो बचेंगे कल बोल लेंगे।

श्री लालो मोहन निगम : यदि आप कहते हैं तो ठीक है।

श्री उपसभापति : श्री जसवंतसिंह।

Mr. Jaswant Singh, Please. (Interruptions)
Please allow him to speak.

SHRI JASWANT SINGH (Rajasthan): Mr. Deputy Chairman, Sir, I welcome your suggestion of a compromise between the Government's sense of urgency and the convenience of everyone that such of us as are able to contribute what little we can to this complex subject will attempt to do so this evening and those who are unable to speak today will speak tomorrow. I am sure the hon. Minister of Parliamentary Affairs will continue with this because it

is eminently reasonable. Time is short and the House has often sat for long with this problem, with the problem of Assam. We are, of course, considering the Appropriation Bill and certain other provisions which the hon. Minister of State for House Affairs has brought before the House.

My involvement with Assam is of some duration. I have been involved with the Assam talks, with each tortuous round of it. The views that I hold are not unknown to Mr. Laskar. Therefore, I do not want to repeat them because by repetition we do not gain strength. I do however wish to make just two points.

The first point is not confined to Assam alone. Though it is very closely linked with the question of border States. I think if in the Union we face a situation wherein sensitive, strategically placed border States are destabilised because of internal strife, internal disaffection and the strife, disaffection, discontent remains neglected over a period of time, then we are letting a situation continue which is potentially malignant and potentially grievously harmful to the nation. I cannot overemphasise this point. If you let this discontent remain for too long, Mr. Minister then the discontent will congeal into malignancy, and we are facing, this malignancy now in two strategically placed border States, in the entire north-east, of which Assam constitutes the pulsating heart and today, sadly and regrettably, even in Punjab. So the total question of Assam is part of the question of border States. And wherever I had an occasion to mention it, I have mentioned that the students and leaders of the agitation who are patriots by any meaning of the term, who are motivated by very strong Indian national feelings, are today being driven by our inaction, by our lack of understanding, to a mentality which is a mentality similar to that of a land-locked nation. The whole of the north-east and the people inhabiting that region behave as if they belong to a hind-locked country, and there is a feeling of alienation, of separation. The challenge

before us, whether it is the Treasury benches or this side, is precisely this challenge, In regard to the Assam talks, it is not my function here this evening to repeat what has taken place. The Members of this august House are well versed with the issues. I would caution the Government on just one point and then sit down. There is an impasse in the talks. There is no progress. There is a suggestion that the talks will be resumed after the current session of the Parliament is over. The talks started with an artificial division of time into decades, 1951, 1961 and 1971. I shall not take time by going-over the involved and complicated question of those various decades. There was some give and take. The Government gave on something and the agitation leaders gave on something. Today we have come to a situation where it is now a question of the specific period of 1961—71. I do not know what the Government's point is. Perhaps it is not prudent for the Government to come out with its point of view, in view of the impending talks. But I would like to caution the Government that if you take a stand that there has to be no deletion from the electoral rolls and that there has to be no deportation, then there will be no elections in Assam which can be called fair election's or peaceful elections. Surely we must be the only country in the world and ours must be the only Government in the world which has come forward with a suggestion that he, who is not an Indian and if his name by mistake happens to be in the electoral rolls, he must still continue to vote. This is a preposterous suggestion and it is on account of such unfeeling sentiments, it is on account of adoption of this kind of an adversary attitude with sections of the citizens of this country that we have come to the situation that we have today in Assam or in other border States. I caution the Government: Do not push, do not make the Solution to the Assam problems of a secondary importance to holding the elections. I will not take any more time. I am grateful to you for having granted me this courtesy. I beg the Minister's pardon and would seek both your

permission as also his for not being present to hear the reply.

Thank you.

SHRI K. MOHANAN (Keraia); Mr. Deputy Chairman, everybody is tired and I do not want to tax the House more, But it is not fair or proper on the part of the Government to insist upon the House to do everything at their good will.

At the outset I would like to say that I am totally opposing the Statutory Resolution. Any kind of law or legislation of such kind is harmful to the democratic norms, principles and conventions of this country. Detention without trial is in any case against the fundamental rights of the people. There is every chance to misuse this kind of a law and it might be used as a weapon to suppress the political opponents. There is a chance to use this as a weapon in the hands of the bureaucrats too for their ends and to victimise their opponents. Even without this kind of a law, the miscreants of Assam can be dealt with. The existing laws like the Indian Penal Code and others are enough to deal with these miscreants. So I vehemently oppose the Statutory Resolution and I would request the Government to withdraw it.

Now I am coming to the Bill introduced by the honourable Minister. For the last three years utter insecurity is prevailing in Assam. We know the poor people of Assam are more victims in the hands of a handful of miscreants. These people have ample support from some quarters, some foreign quarters. I suspect some imperialist powers are working behind them. We know about the notorious Brahmaputra operation scheme.

It is a fact that the neglected people of Assam have their own grievances. And the present agitation has nothing to do with them. Not only that. The agitationists, with their selfish and narrow motives, are sidetracking the real issue of the Assam people and they are trying to take advantage from this

[Shri K. Mohanan]

no hesitation to say that in the beginning of this Assam movement what was the Mand taken by the ruling party? In my opinion they were in support of this agitation. For what? They wanted to defeat the growing strength of the left and democratic forces in Assam and they were keen to disrupt the unity of the people of

Assam. The ruling party at the 7 P.M. Centre the very same facts in

playing the very same facts in many parts of the country. What are they doing in Tripura? They are encouraging all anti-Government forces including the Upajati Samiti.

What is the position in West Bengal? There, they are encouraging even Anand Margis and other anti-Government forces.

What are they doing in Kerala? There they are with the forces of communalism and casteism. Sir, there are thirteen parties in the Congress (I) led ruling front. Among them seven or eight parties have organised on the basis of communalism and casteism. In other words, the ruling front in Kerala is a federation of Communal forces.

Similarly, everywhere in this country the ruling party at the Centre is playing with flame. This is dangerous.

Coming to the Bill, there is no mention about the forthcoming Assam elections. There is no provision to that effect and there is no allocation of funds for that purpose.

You are saying that you are having talks with the representatives of Assam. No, you are not talking with the real representatives of Assam. We want you to talk with the real representatives of Assam. That is why we are demanding elections in Assam as early as possible. By holding elections, give a chance to the people of Assam to give their verdict and choose their real representatives.

There is so much hnbub about the •O«~*tAn MK finoia Ofindhj who is

holding a foreign passport and citizenship is in the electoral roll of this very country. What is the use of making bubub about the electoral roll?

Our demand is that you should be prepared to hold election in Assam without any delay. You should give the people of Assam a chance to elect their own representatives. You should have nothing to do with the miscreants. The Assam people are not with these agitators or miscreants. They have their own grievances, especially the minorities have their own grievances. The Government should negotiate only with the real representatives of Assam. And for that, without any delay or hesitation, free and fair election should be held in Assam.

SHRI BISWA GOSWAMI (Assam): Mr. Deputy Chairman, Sir, my hon. colleague Mr. Jaswant Singh has pointed out to the gravity of the situation prevailing in the State of Assam. My hon. friend from the CPM has failed to understand the real problem of the North-Eastern States.

We have discussed many times the problems of Assam in this House and everybody on those occasions emphasized the need for coming to an amicable settlement of the dispute through negotiations and for that purpose several rounds of talks have been held. In the last round of tripartite talks, both the sides practically came very much closer and the differences were completely narrowed down.

You will be surprised to know that the students and other leaders who are spearheading the movement in Assam—whom my hon. friend of the CPM has called miscreants: they are not miscreants; they are patriots—even agreed to the 1977 electoral roll being accepted as a national list, although for all practical reasons, the electoral roll of 1967 should have been accepted as the national list. They have also agreed not to demand the deportation of those who are eligible for citizenship. They have also agreed to wait till the elections are over for the disposal of

these persons who are eligible, for citizenship. But the Government is not willing to do anything. Government is not willing even to delete the names of those who are not citizens of India.

SHRI HAREKRUSHNA MALLICK
(Orissa): Why?

SHRI BISWA GOSWAMI: It is surprising. There are persons who entered Assam between 1961 and 1971. Supposing they are eligible to citizenship of India, can you grant them citizenship without fulfilling the necessary provisions of law. There are only a few persons who have taken citizenship certificates. The movement leaders have agreed that those who have got citizenship certificates are entitled to stay in Assam and their names should be in the electoral rolls. What more can the movement leaders say? They have agreed for even referring the matter of those who have got no citizenship certificates to be decided by tribunals. But persons who have got no citizenship certificates today—how can their names be in the electoral rolls? I cannot understand it. Now, everybody and particularly my friends in Assam, of Congress (I) and the left and Democratic Front are demanding that election should be held in Assam. I do not know what type of election it will be if this election is boycotted by the people, the people who launched the movement for the last three years. If they boycott the election, how can there be elections? My friend of the CPM has stated that we should talk to the representatives of the people by holding elections. But if the elections are boycotted how can there be free and fair elections? So, sir, it will be a suicidal path if the Government decides to hold elections. It will be a suicidal step. I warn the Government to retrace their step from taking this path in the north-eastern region. *(Time bell rings)* Everybody is for elections. We are for elections. But elections can be held only after the revision of the electoral rolls, after deleting the names of those who are not citizens. How can you enter the names of those, who are not citizens in the electoral rolls? Do you call it a free and fair election? People of Assam have

been launching the movement peacefully. Please do not drive them to the other extremist path. Their movement has been peaceful. They believe in a democratic movement and they are very much willing for compromise and they have shown their willingness by agreeing to the 1977 electoral rolls: they have accepted it as a notional list. Even then, if the Government is not prepared to do anything, if the Government thinks that the movement has fizzled out, they are entirely mistaken. The movement has not fizzled out. It will be very difficult to hold elections if the movement leaders give a jail for boycotting the elections. I may refer in this connection to two Congress(I) leaders who recently went to hold some election meeting. But they could not hold the meeting. They gave in writing that the elections should not be held without revision of electoral rolls, deleting the names of foreigners. So in such situation it will be wrong to go in for elections in Assam. We want the Government, we would request the Government, we would urge upon the Government, agree to Shri Ravindra Varma's formula which practically brings both the sides closer? Why don't you agree for a moratorium on granting citizenship certificate till the elections are over? If you can agree, if you agree to grant the citizenship certificate to those who are not citizens today but eligible to be citizenship if you make a condition that citizenship certificate would be granted if they decided to stay outside Assam, then it is not difficult to agree to the disposal demand. And if the Government is sincere, I believe, a solution can be found out. And, of course, I know that there are suggestions from certain quarters. I know that there is a strong lobby working in Delhi and they have suggested to the Government that here is a golden opportunity to hold the elections now without revising the electoral rolls because if the Assamese people boycott the elections, it will be easy to form the Government in Assam with the votes of those who are opposed to the Movement. It is a most unimaginative suggestion given by certain quarters; I hope the Government will not listen to such suggestions. I would once again request the Government to come to

(Shri Biswa Goswami]

in amicable settlement in the ne« round of talks that is going to be Held after the Parliament session is over. They have already lost much of the time, and the time is very short. I hope, in the next round of talks, the Government would conte to sOme sort of settlement with the Movement leaders on the basis of the formula suggested by Shri Ravindra Varma, hon. Member from Lok Sabha. I hope the Government will ponder over the matter Seriously. Thank you, Sir.

SHRI AJIT KUMAR SHARMA (Assam): Mr. Vice-Chairman, Sir, very recently there is a press report of an announcement by some geologists, who have said that the entire North-Eastern region is physically moving eastwards. Now, after the hon. Finance Minister has placed the Supplementary Grants Bill and the hon. Minister of State for Home Affairs has moved a Statutory Resolution on the Essential Services Maintenance. Both these measures make it clear that the Government of India is still trying to push this area farther to the east and away from India. And in this respect, before I have my say, I would like to warn the Government to change their traditional colonial attitude and also their policy towards this area which is a very strategic area of the country, things will go from bad to worse.

Sir, if we take both the things together, the Bill and the Resolution, we find from the Appropriation Accounts, that out of a total of Rs. 2.31 crores, the Government wants as much as Rs 1.42 crores for police administration alone.

SHRI HAREKRUSHNA MALLICK: Police State.

SHRI AJIT KUMAR SHARMA: So, the major part of the requirement of the Government is to spend on Police. They want to have a Police administration throughout the State. Sir, today, if you go to Assam, you find that the entire State has been under Section 144 continuously

for severa! months. Now, the Minister of State for Home Affairs has very frankly stated that the Draconian rules that he wants to impose on the people are only for the purpose of suppressing the people's Movement and the Supporters of the Movement. Of course, he is very frank. Now, the people of Assam have had the experience for the last three years how these Draconian laws have been used or misused by the Government against the people, against the students and the youth and even against old men of SO years.

The Government has been doing all these just because they suspect these people to be supporting or sympathising with the current movement against foreign nationals. But at the same time I may also remind the Home Minister that all their Draconian laws have failed during the last 3 years. Even the curfew orders have been resisted by the people. When lakhs of people came out in the Gauhati city, that was a remarkable day when they resisted the curfew orders and the curfew orders had to be withdrawn. I am also reminding the Home Minister that if he thinks that the laws and the Ordinances can rule, he is sadly mistaken and he should also remember that any law is 90 per cent consent and only 10 per cent imposition. When you reverse the gear, when you want to make 90 per cent imposition, your law ceases to be effective and it cannot function,

Now, many things have been discussed in this House for several times on the Assam movement. I do not want to dilate on that. But the point is, in Assam and for that matter in the entire North Eastern region, you cannot have a stable economy, stable politics, stable social life unless and until you solve these problems of foreigners in the right manner. People launched the movement not for anything else but to make that area safe for Indian citizens. Recently the Prime Minister ex-pressed her concern over the Kashmir Resettlement Bill and said that she cannot be a party to open the floodgates for foreigners Into Kashmir. I welcome that statement; but I wish, she had said the same thing as far as Assam and North-Eastern region is concerned. In Assam,

there is a physical presence of large-scale foreigners which has been admitted by Ministers repeatedly in this House, and not only that, there is large-scale presence of foreigners in the very electoral rolls. Now, my friend from the CPM wants elections in Assam and wants to have the elected representatives of the people. May I inform him that when lakhs of foreigners' names are in the electoral roll when such is the situation, can you have real representatives of the people from that State if an election takes place? That is the very basic issue. And that basic issue has to be solved and solved rightly. It is very unfortunate that the Government has been dilly-dallying with this issue, thinking that if they delay, the people will get tired and the Government will be able to impose something like an election on the people. I want to ask a specific question to the Home Minister. After the dissolution of the Assam Assembly, it was known to them that 18th March is the last date by which they must hold elections and it was also made very clear in this House that before you hold elections the basic issue must be solved. Why did you not do it? Why are you dragging on the issue? Sir, if you take out the whole record of discussions in the House and the statements made in Parliament and outside, you will find that Government initially took the position that they will solve this problem on the basis of law. Agreed — PM: I also wanted it to be solved on the basis of law. But

Government found that law did not go in favour of the Government's political ends, they shifted and said, 'no, we are discussing and solving it on the political basis'. And when that was also agreed to by the movement leaders, the Government took to new pleas that they have got so many other considerations, humanitarian conditions, international obligations, national commitments, without defining any of them. I myself put a question in this very House to the Minister to explain what international commitments are, which agreement was there between Bangladesh and India which said that India will not live out foreigners from India? For six months, they hold up the answer. The answer was not given. I waited all the agreements. It was held up for many months. Then, I put another question in

a different way. I asked: "I sit not a fact that the External Affairs Ministry lost all the documents and agreements between Bangladesh and India, and if so, is the Government going to punish the officers responsible for this?" Then, of course, the answer was supplied. They said 'No' the agreements are intact'. Within a week, I was supplied with the copies, I found that not a single word was there from which one can say that we have an international commitment under which we cannot drive out any foreigner from Assam or from the North-Eastern Region. The whole point is this. Today, there is a debate going on. (*Time bell rings*) I will take a few minutes more. Today, there is a debate going on in regard to the people who have entered between 1961 and 1971. There is reference to a cut-off year also. I do not understand what they mean by this term 'cut-off year'. Government takes a very peculiar position. If you ask them, they say: 'We are detecting and deporting all foreigners who have come after 25th March, 1971.' In the context of the negotiations which the Defence Minister has been conducting, I asked him: 'How will you do it; what is your legal basis?'. I asked him: 'If you cannot delete the names of foreigners who have entered between 1961 and 1971, how can you drive out people who have entered after 1971?' Now, he says that 'we will have to make some law'. If you can make a law in regard to those people who have entered after 1971, then, you can as well make law in regard to those people who have entered between 1961 and 1971. In the whole discussion, we find that both the parties had agreed, had come to some kind of an agreement in regard to the period up to 1961. Now, if that be so, why not start with 1962? There is an electoral roll, of 1962. You can start from there. There is no difficulty about it. But from the statements made by hon. Ministers who have been concerned with the negotiations, it seems, they are not prepared to remove any foreigner from Assam. They are not even prepared to detect the foreigners. In regard to those people who have come and who have stealthily got their names entered in the electoral rolls, when we

[Shri Ajit Kumar Sharma]

say that their names should be removed, the Government says: 'We cannot remove their names'. If Mrs. Rajiv Gandhi's name can be removed from the electoral roll, because, she is a foreigner why not remove the names of all foreigners in the electoral rolls of Assam?

(interruptions)

SHRI SYED SIBTE RAZI: Sir, this is for the third time that this has been mentioned. They are unnecessarily bringing in this. I take strong exception to this. *(Interruptions)* It is an established convention in this House that the names of persons who are not Members of this House should not be taken. They go on doing this. *(Interruptions)* They are unnecessarily bringing in such things. They are politicalising the issue.

SHRI AJIT KUMAR SHARMA: Sir, I am not concerned with the names. If anybody's name can be deleted because she or he is a foreigner, what is the difficulty in Assam that you cannot remove the names of foreigners from the electoral rolls? When the outgoing Chief Election Commissioner went to Shillong to attend a conference, he said very, specifically and categorically that the names of foreigners must be deleted and then only a correct electoral roll for Assam can be prepared.

Already we have lost much time. We are passing through and also passing towards a very dangerous situation. If the Government thinks that they can dominate and suppress the people of Assam, they can impose their will over the people of Assam, then they are sadly mistaken. That was they can only lose the whole area. Therefore, I would ask the Government to immediately settle the issue, in regard to the period between 1961 and 1971 and remove the names of all foreigners from the electoral rolls. You should not bring in legal squibbles. You should develop a political will and solve this problem. Only then, you can decide about elections.

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Elections cannot take place as long as you do not find a right solution to this problem. Thank you.

MR. DEPUTY CHAIRMAN: This debate will continue tomorrow.

MESSAGES FROM THE LOK SABHA

(I) The Industrial Development Bank of India (Amendment) Bill, 1982.

(II) The Andhra Scientific Company Limited (Acquisition and Transfer of Undertakings) Bill, 1982.

ADDITIONAL SECRETARY: Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary of the Lok Sabha:—

(I)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Industrial Development Bank of India (Amendment) Bill, 1982, as passed by Lok Sabha at its sitting held on the 20th October, 1982."

(II)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Andhra Scientific Company Limited (Acquisition and Transfer of Undertakings) Bill, 1982, as passed by Lok Sabha at its sitting held on the 20th October, 1982."

Sir, I lay a copy of each of the Bills on the Table.

श्री उपसभापति : सदन की कार्यवाही कल प्रातः 11 बजे तक के स्थगित की जाती है।

The House adjourned at twenty-six minutes past seven of the clock till eleven of the clock on Thursday, the 21st October, 1982.