

notice of the hon. Minister that day before yesterday there was a news item in the newspapers that five athletes were convicted and sentenced to one year's rigorous imprisonment..

SHRI SHRIDHAR WASUDEO DHABE: Irrelevant.

SHRI MANUBHAJ PATEL: It is quite relevant. It is very serious that not only ordinary people, not only perverse people but sportsmen who are national prize winners should commit rape. I would like to know whether the Government, as a deterrent punishment, will see that these five athletes are not allowed to take part in the Asiad.

SHRI P. VENKATASUBBAIAH: Sir several suggestions have been made to amend the law with regard to this matter and a provision has been made for in camera trial also. There are several provisions. About the other matter which the honourable Member mentioned we have taken the suggestion of the honourable Member.

MR. DEPUTY CHAIRMAN: Next question 64.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Mr. Deputy Chairman, may I request you to take up Question No. 70 also which is similar to Question No. 64? These two questions can be taken up together.

MR. DEPUTY CHAIRMAN: Yes, I think they are similar. Let us take them together. Questions 64 and 70.

#### Assam Talks

\*64. SHRI SYED AHMAD HASHMI:

SHRI ADINARAYANA REDDY†

Will the Minister of HOME AFFAIRS be pleased to state:

(a) what is the number of rounds of talks Government had with the

†The question was actually asked on the floor of the House by Shri Adinarayana Reddy.

Assam movement leaders on the foreigners' issue during the last two months;

(b) what are the results of the talks, if any so far;

(c) what are the reasons for the break-down on the talks;

(d) what are the steps contemplated by Government to settle the issue which has already caused considerable damage to the Indian economy; and

(e) what progress has so far been made for holding elections in Assam by February, 1983?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RANJAN LASKAR):

(a) Two rounds of the combined meeting of the representatives of Government, Leaders of Opposition in Parliament and AASU/AAGSP were held during the last two months.

(b) to (e) Discussions in these combined meetings have so far remained inconclusive. However, these have helped to gain a better understanding of the complexities of the problem. Efforts to find a satisfactory solution are continuing and further talks may be resumed shortly. The Government are aware of the constitutional necessity to hold elections in Assam before 18th March, 1983.

#### Assam Problem

\*70. SHRI MURLIDHAR CHANDRAKANT BHANDARE:†

SHRI F. M. KHAN:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a package deal on the Assam problem could not materialise and differences continue to persist in this regard;

†The question was actually asked on the floor of the House by Shri Murlidhar Chandrakant Bhandare.

(b) if so, what are the major differences that still persist and what further steps are being taken to resolve the same; and

(c) what is the estimated loss suffered in terms of life and property so far as a result of this agitation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RANJAN LASKAR):

(a) It is a fact that no agreed understanding has emerged on the foreigners' issue in Assam so far.

(b) Differences continue to persist in regard to the treatment to be given to persons who entered Assam during 1961-71 from erstwhile East Pakistan. Further discussions may be resumed shortly.

(c) Due to violence in the wake of agitation, more than 340 persons have lost their lives. While it is difficult to precisely quantify the economic loss, the loss in petroleum and fertilizer sector alone would come to Rs. 1272 crores. Due to disruption of rail movement, the Railways suffered financial loss of Rs. 32 crores besides a general drop in passenger traffic. Several projects have been delayed resulting in considerable cost escalation. The State exchequer lost Rs. 45 crores in revenue.

SHRI ADINARAYANA REDDY: Sir, this is a very important issue. I would like to know whether the Opposition party leaders also have supported the stand of the Government in the recent talks, and, if so, what the bottleneck is that holds up the settlement.

SHRI P. C. SETHI: Five party leaders from major political parties are represented in the talks. They have been consistently emphasising that their role in the talks is that of helping in finding a solution and not taking sides. From time to time they have been expressing their opinion. But their attitude generally has been that they are here as a sort of cata-

lyst so that the two sides, that is the agitators and the Government, may come to an agreement. Now, since the last two meetings are held—as a matter of fact, apart from these two meetings, in all 19 rounds of talks have been held till date, but—unfortunately the position has not very much changed although, to some extent, there appears to be some arena of agreement. But as regards the broad question about entrants between 1961 and 1971, the reaction in the last talks is that they should be disenfranchised and dispressed. Now, as far as the Government stand is concerned, it has taken the responsibility of locating persons who have come after 25th March, 1971, and after locating them, to deal with either by deporting them or, if they are genuine refugees, by settling them somewhere else so that they will not become too burdensome for Assam. Now the Government's stand with regard to pre March 1971 entrants has been consistent in terms of the historical fact of the partition and the commitments arising therefrom, the will of the Parliament as expressed in Immigrants (Expulsion from Assam) Act, 1950, which has excluded from its operation any person and came to India on account of civil disturbances or the fear of such disturbances in Pakistan, over the years, instructions and orders have been issued by the Government for conferment of citizenship to migrants from East Pakistan who had come with or without migration certificates or other travel documents. Now, Sir, this is the main bone of contention between the leaders of the agitation and the Government and for this purpose various informal and formal discussions in the last two rounds of talks have taken place. The hon. Members from the Opposition have been trying to be helpful. Mr. Ravindra Verma gave a formula on his behalf. We had a detailed discussion, both informal and formal, in the tripartite and general talks which the Defence Minister carried on with them and in the informal talks and in the tri-

partite talks where all of us participated. We are trying to work out something about that formula. A suggestion mooted in this particular formula was that there was a question of those between 1961—71. Mr. Ravindra Varma suggested that all those who have come between 1961 and 1971 and who have got certificates of citizenship, whose number may be about one lakh and sixty thousand, not more, may be recognized as citizens. The second part of the suggestion was that all those persons who have not got citizenship certificates, their cases should be gone into by the Tribunals, and the Tribunals should be able to decide whether they have got the right to say in India ~~and~~ whether they have got the right to apply for citizenship. The idea was that those who do not fall in both these categories may be sent out. So a discussion was being held on this. Another very important stand of the leaders of the agitation has been that the cultural, ethnical and language identity of the people of Assam should be maintained and, therefore, from that point of view, this entire problem should be considered. We are not bothered as to the laws passed in 1950 or some time back. From this point of view, an idea in the informal talks perhaps might have emerged. Then it found a place in the newspapers next morning. And in the tripartite talks Mr. Yogendra Sharma, the CPL leader, mentioned that in order to safeguard these points the Government could think of some other constitutional guarantee in this respect. The Government's attitude to this suggestion was that we are prepared to consider even this. But the reaction of the leaders of the agitation who were participating in the talks was that even as far as this is concerned, this may be additional to what we are saying but their demand was that 1961—71 people should be all disenfranchised immediately and they may be allowed to stay there for some time and their dispersal may take some more time but they have

ultimately to be dispersed. Now this is where we have ended the talks.

SHRI PILOO MODY: This includes ones that have the citizenship papers? *(Interruptions)*

SHRI P. C. SETHI: No. As far as their stand is concerned, all those who have come between 1961 and 1971 should all be disenfranchised.

DR. RAFIQ ZAKARIA: Irrespective of whatever right Parliament might have conferred.

SHRI P. C. SETHI: Therefore, as my colleague has pointed out, the talks were almost dead-locked and we want to break this deadlock and we suggested, and hon. Shri Advani and Mr. Unni Krishnan also made a suggestion, that perhaps the Government and the leaders may be given more time to think over the new suggestions which have come and, therefore, these may be adjourned for the time being and again a next round of talks be held. Sir, we are not going to take more time in holding the talks. We had promised there that we will not take more time and, therefore, we are likely to decide that as soon as the Parliament session is over, on 6th and 7th November we are likely to call them for talks again.

SHRI SANKAR PRASAD MITRA: What is the total number of people they want to be disenfranchised?

MR. DEPUTY CHAIRMAN: Mr. Bhandare.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Sir, there are two questions which I would like to ask the hon. Home Minister. Sir, though under the Constitution the elections will have to be held before the 18th March, 1983, under our electoral law, the electoral process has to start six months earlier, including the preparation and finalisation of the electoral rolls. May I ask the hon.

Minister whether this process has commenced? My second question is this. He has given the details of the talks and the impediments in reaching a solution. In this respect, I would invite the attention of the Minister to a statement of Mr. Nibran Bohra, who was the President of the Purvanchal Lok Parishad and who led the talks in 15 rounds, that the agitation is financed by the CIA money. I would ask the Home Minister whether these things are also coming in the way reaching an early and satisfactory solution.

SHRI P. VENKATASUBBAIAH: Dispersal.

SHRI P. C. SETHI: Sir, in regard to the reply that I have said just now, I would like to further clarify that their immediate demand is to disenfranchise them and, as I have said, they are not insisting for immediate dispersal. They said that dispersal could take place later on.

SHRI P. VENKATASUBBAIAH: Dispersal.

SHRI P. C. SETHI: Sir, as far as the question by hon. Shri Bhandare is concerned, we have said that the Government is aware of the constitutional necessity of holding the elections in Assam before 18th March, 1983. More than that, at this stage, because we are holding crucial talks, I would not like to say anything. Sir, with regard to his second question, I would like to say that we have no such information as yet. These are the reports from amongst themselves. Now, Mr. Bohra has fallen out and he is saying so.

SHRI DINESH GOSWAMI: Sir, I think, the hon. Minister is not correct—and I would like him to check up—when he says that the students are insisting for deletion of the names of those who have acquired the citizenship certificates. If I remember correctly, if I have followed the talks correctly, the whole dispute was regarding the eligibility, that those who have not acquired the citizenship certificate and according to the Government are eligible, their names should

be deleted from the voters' list. And, therefore, the wrong impression given to the House that the names of those who have acquired the citizenship certificate should also be deleted should be corrected.

SHRI PILOO MODY: I asked the same clarification.

SHRI DINESH GOSWAMI: Now, I would like to put three questions. Firstly, there is some newspaper report that the Government is thinking of holding elections in Assam in December which will mean that the Government is contemplating of holding the elections without even following the procedures laid down under the law. Will he at least discount that proposition? Secondly, has the Government accepted Ravindra Varma formula because from the entire formula. Thirdly, when you talk this conclusion whether the Government has accepted Ravindra Varma formula. Thirdly, when you talk about the constitutional safeguards, is it absolutely at an elementary stage or has the Government given some thought to it. And what type of constitutional safeguards the Government is thinking of? Fourthly, there are some newspaper reports because if the Government goes according to the constitutional obligation holds the elections in Assam by March the confrontation is definitely to arise if there is no solution. There are some newspaper reports that the hon. Prime Minister may intervene in such a situation. I would like to know whether there is any possibility of the hon. Prime Minister intervening because the next 2 rounds or 3 rounds of talks, when the Government is bent upon holding elections, will be the ultimate round of talks.

SHRI P. C. SETHI: I have said that Mr. Ravindra Varma's formula said that all those who have got the citizenship certificates, numbering about 1,60,000 should be given citizenship certificates. Now even for 1951 and 1961, I must say that during the deliberations, originally they had

objections with regard to 1951 and 1961 ..

**SHRI DINESH GOSWAMI:** . Have they not agreed?

**SHRI P. C. SETHI:** They have agreed subject to the overall agreement having been reached for 1951 and 1961. Similarly, with regard to 1961 and 1971, I would again reiterate that as far as Ravindra Varma formula is concerned, it was being considered but finally when they left the place, they said that unless all those who came between 1961 and 1971 are immediately disenfranchised, there could be no further talks.

**SHRI DINESH GOSWAMI:** Even there, what is the Government's reactions? Has the Government accepted Ravindra Varma formula? I want a categorical answer to that.

**SHRI P. C. SETHI:** I would say that we are not considering Assam question in a piecemeal manner. They are talking subject to overall settlement and therefore we are also committed to the Assam problem subject to overall settlement of the problem. Therefore, at this stage, whether we are in a position to accept or not in a position to accept any formula, it is not possible for me to say, because right from the beginning, our stand has been that we would require an overall solution and a package deal.

**SHRI PILOO MODY:** Would you please clarify? Once we enfranchise and they are given citizenship papers, are they to be disenfranchised? Is this the demand?

**SHRI P. C. SETHI:** According to them, I have said.

**SHRI PILOO MODY:** According to them, are they also to be disenfranchised?

**SHRI DINESH GOSWAMI:** Whether they have said that those who have got the certificates, should be disenfranchised. Kindly clarify.

**SHRI P. C. SETHI:** No, they have not said so.

**SHRI DINESH GOSWAMI:** I asked about the eligibility certificate.

**SHRI P. C. SETHI:** I would like to repeat that they have also not accepted the formula of Mr. Ravindra Varma ...

**SHRI ARVIND GANESH KULKARNI:** What has the Government decided?

**SHRI P. C. SETHI:**...What they have insisted upon is that all those who came between 1961 and 1971 should be disenfranchised and dispersed.

**SHRI SADASHIV BAGAITKAR:** What is the Government's reaction to the so-called Ravindra Varma formula? You are not saying anything on that.

**MR. DEPUTY CHAIRMAN:** He replied on that point.

**SHRI ARVIND GANESH KULKARNI:** Unless the Government clarifies this point, how can a compromise be there by other political parties? You clarify your position; then the other political parties will react. Why don't you clarify it? You are just keeping it to yourself.

**THE PRIME MINISTER (SHRI-MATI INDIRA GANDHI):** There is reason for the hon. Members to get so excited. It is a very complex, delicate and emotional matter so far as the people of Assam are concerned, and naturally we are all concerned about what happens. The Government cannot take a hard and fast stand on this issue when we are negotiating with them. We are trying to see how far we can accommodate them, without causing harm to other people, the minorities and others living in Assam, and considering its wider consequence on the nation as a whole. Therefore, we are at a stage when we are getting suggestions from different people. Some of them are

Opposition leaders; there may be others also. Many people come to see us and we must find out which solutions are accepted. There is no use asking whether we accept a solution if the Assamese, the students or Government cannot declare its stand. We are trying to bring about a solution after consulting a wide spectrum of opinions.

**SHRI MANUBHAI PATEL:** Sir, the last part of the question has not been answered, whether the Prime Minister will intervene in order to solve this problem.

**SHRIMATI INDIRA GANDHI:** Sir, as the hon. Members know, I rushed to Assam, sometime ago, because it was my impression that there was a willingness on the part of the agitators to come to some agreement. At that time, I made a suggestion. I said, let us agree on that part which everybody accepts. All political parties had agreed. It was that those who had come in after 1971 should be identified and repatriated. And I said, that while this was proceeding, it would not prejudice either their stand or ours, we would continue with the talks and decide about the other things. I said, let this work start. Had they agreed to this, we would have been in a clearer situation today. However, their attitude seems to be all or nothing. Now, as you know, I never take a rigid stand, except on matters of principle. I do not stand on prestige whether. I should meet or not meet. I should go or not. If my intervention will help, certainly, I shall intervene. But if I face exactly the same position, they will say, even the Prime Minister cannot do anything. Then, we shall be stuck with nowhere else to go. Therefore, it is much better to sort out what can be achieved before I decide to go.

**SHRI PILOO MODY:** None of my questions receive any applause. I would like to know why.

**MR. DEPUTY CHAIRMAN:** Question Hour is over.

## WRITTEN ANSWERS TO QUESTIONS

### Production of Aluminium

\*62. **SHRI GHOUSE MOHIUDDIN SHEIKH:** Will the Minister of STEEL AND MINES be pleased to state:

(a) whether it is a fact that the production of Aluminium has recently improved in the country; and

(b) if so, what are the details in this regard?

**THE MINISTER OF STATE IN THE MINISTRIES OF INDUSTRY AND STEEL AND MINES (SHRIMATI RAM DULARI SINHA):** (a) There has been a slight improvement.

(b) The production of aluminium during the current year 1982-83 upto 31st August, 1982 was 88,697 as against 87,965 tonnes during the corresponding period of the previous year. The trend of production is, however, far below expectation owing to inadequate power supply to the aluminium smelters by the concerned State Electricity Boards.

### United Nations Conference on Use of outer space

\*65. **SHRIMATI AMARJIT KAUR: SHRI RAMANAND YADAV:**

Will the PRIME MINISTER be pleased to state:

(a) whether India took part in the second United Nations Conference on Exploration and Peaceful Uses of Outer Space (UNISPACE) which was held in Vienna in the month of August 1982;

(b) whether any consensus was reached on the use of Space for military purposes, on question of Remote Sensing, on respecting the sovereignty of nations, on equitable distribution as far as the geostationary