

Gold Control (Forms, Fees and Miscellaneous Matters) Amendment Rules, 1979.

(2) S.O. No. 878(E), dated the 31st December, 1979, publishing the Gold Control (Forms, Fees and Miscellaneous Matters) Amendment Rules, 1979.

[Placed in Library. See No. LT-94/80 for (1) & (2)].

Delhi Sales Tax (First Amendment) Rules, 1980

SHRI JAGANNATH PAHADIA: Sir, I beg to lay on the Table a copy (in English and Hindi) of the Delhi Administration Notifications No. F. 4(28)/78-Fin. (G), dated the 10th January, 1980, publishing the Delhi Sales Tax (First Amendment) Rules, 1980; under section 72 of the Delhi Sales Tax Act, 1975. [Placed in Library See No. LT—1/80].

Notifications of the Ministry of Finance (Department of Revenue) and Related Papers

SHRI JAGANNATH PAHADIA: Sir, I beg to lay on the Table a copy (in English and Hindi) of the following Notifications of the Ministry of Finance (Deptt. of Revenue) under section 41 of the Finance Act, 1979, alongwith the Explanatory Memoranda thereon: —

(1) G.S.R. No. 354(E), dated the 8th June, 1979.

(2) G.S.R. No. 355(E), dated the 8th June, 1979, publishing the Foreign Travel Tax Rules, 1979.

(3) G.S.R. Nos. 356(E) to 360(E), dated the 11th June, 1979.

(4) G.S.R. No. 431(E), dated the 3rd July, 1979.

(5) G.S.R. No. 661(1), dated the 30th November, 1979.

(6) G.S.R. No. 685(E), dated the 7th December, 1979.

[Placed in Library. See No. LT-92/80 for (1) to (6)].

REPORTS OF THE COMMITTEE ON PETITIONS

SHRIMATI AMBIKA SONI (Punjab): Sir, I beg to present the Sixtieth Report of the Committee on Petitions on the petition 'Signed by the representatives of the Head Masters of the Middle Schools of the Delhi Administration regarding anomalies in their pay structure.

Sir, I also beg to present the Sixty-First Report of the Committee on Petitions on the petition signed by the General Secretary, AH India State Bank Officer's Federation, Madras and 1210 other employees of the State Bank of India working in the State Bank of Karnataka praying for the setting up of a local Head Office of the State Bank of India at Bangalore,

MESSAGE FROM THE LOK SABHA

The Payment of Bonus (Amendment) Bill, 1980

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

"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 Payment of Bonus (Amendment) Bill, 1980, as passed by Lok Sabha at its sitting held on the 24th January, 1980."

Sir, I lay the Bill on the Table.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Deterioration Law and Order Situation in North-Eastern Region of the Country

SHRI DINESH GOSWAMI (Assam) Sir, before I call the attention of the hon. Minister, may I point out, for the information of the House, that the situation in the North-Eastern Region of the Country is deteriorating.

form in which the Calling Attention is given here is completely different from the form in which I gave notice of the Calling Attention. The present Calling Attention Motion reads:—

"To call the attention of the Minister of Home Affairs to the deteriorating law and order situation in the North-Eastern region of the country with particular reference to the agitation in Assam."

This Calling Attention lays emphasis only on the law and order situation and it does not take a comprehensive view of the matter. My Calling Attention notice reads: —

"Serious situation in Assam arising out of the mass movement in the State for deletion of the names of foreigners from the voters' list resulting in postponement of elections in two Parliamentary constituencies."

I am not taking any technical objection in view of your observations yesterday that the Members will be entitled to speak really in any way on the subject. But for the purpose of record since I may be misunderstood, I am only clarifying the whole position. Now, I call the attention of the Minister of Home Affairs to the deteriorating law and order situation in the North-Eastern region of the country with particular reference to the agitation in Assam.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATA SUBBAIAH): Mr. Chairman, Sir the recent developments in the sensitive areas of the North-Eastern parts of our country have been a matter of serious concern.

From June, 1979 there have been a series of violent incidents in Mizo-

ram consequent upon the issue of a 'Quit-Mizoram' notice by the underground. Throughout 1979 there have been a series of violent incidents in the Manipur-valley resulting in a number of deaths and snatching of arms. The only relieving feature in Manipur and Mizoram has been that the recent poll went off without any serious violence.

The overall law and order situation in Assam from August, 1979 has been! Steadily deteriorating!. On the one hand, Assam has witnessed a prolonged agitation initially for deletion of the names of foreign nationals from electoral rolls, then for the postponement of the poll and in the last two weeks, frequent bundha, hartals and other attempts to bring economic activities; working of offices, educational institutions, etc. to a standstill. On the other hand, in the atmosphere of distrust and bitterness prevailing, there have been a large number of shocking incidents of violence. Between August and December, 26 persons lost their lives; there were about 120 incidents of arson and about 327 cases of assault. In January, there was a further deterioration of the situation. In Nalbari and Barpeta subdivision of Kamrup District, 41 persons have lost their lives; over 3200 houses in about 40 villages have been set on fire and as a result over 15,000 people have been rendered homeless. In Cachar district, 6 persons lost their lives in clashes of a communal nature. Another five persons, including a Senior Technical Officer of Oil India, lost their lives in violent incidents arising out of picketing the oil installations at Duliajan. In Meghalaya also, there have been equally violent incidents of grave nature. 20 persons lost their lives between October and December, 1979 and about 1900 persons have been driven away from their homes and had to seek shelter in relief camps.

[Shri P. Venkata Subbaiah]

In the situation obtaining in the region, the House will appreciate that the foremost duty of the Government is to maintain peace and order and restore a sense of security amongst the different sections, of the people in the different States and Territories, Government cannot allow the conditions of lawlessness to continue. Equally important is the task of providing relief to the large number of innocent people whose houses have been burnt and to all whose belongings have been destroyed; reconstruction of their houses and their rehabilitation in their normal place of residence. Immediate steps have also to be taken to strengthen the border security arrangements particularly to prevent any unauthorised influx.

Simultaneously Government have also taken note of the apprehensions which have led to the prevailing situation in the region. The problems in North-Eastern region are complex. Solution to these problems has to be formulated in an atmosphere of peace and understanding. We are fully aware of the sentiments of the people and their zealous desire to preserve and develop their cultural identities. Their apprehensions require to be allayed with sympathy and understanding. Hence we are devoting our immediate attention to the task of finding "solutions to the problems that are acceptable to all concerned in an atmosphere of peace and goodwill. We will extend our fullest support to the different Governments in the region in maintaining law and order and in the other tasks facing them.

I will seek the co-operation of all sections of the House in this endeavour.

SHRI DINESH GOSWAMI: Mr. Chairman, Sir, before I make my preliminary observations, I think 5t

would have been desirable if the Prime Minister had been present in the House because she was present in the Lok Sabha the other day when this very subject was taken up and she had to intervene a number of times. The subject being very delicate, I will even now request the Members of the ruling party to ask the Prime Minister to attend to this subject because words from her will carry much greater weight than words from any other person.

Sir, the State of Assam is burning today. It is burning on the main question of influx of a large number of foreigners in that State and on the issue of deletion of their names from the voters list. But the issue should not be viewed in isolation because the feeling of anguish of the 'people of Assam today is because of long-standing neglect by the Central Government to the vital problems of the State. Sir, look to the sensitivity of this region. This is a region which comprises four States—I am leaving out Tripura for the time being—and two Union Territories and it has three international borders. It has a border of 900 kilometres with Burma; it has a border of 1,050 kilometres with China, the Tibet side of China; and it has a border of 4,000 kilometres with Bangladesh. And with all these international boundaries, it is linked up with India by a small corridor of 54 kilometres. This is a region which is extremely complex, as has been said by the hon. Home Minister. Times without number, in this House and in the other House, we had warned the Central Government about the explosive situation in the State and we had requested the Central Government, "Kindly, for heaven's sake, take some measures so that the situation may not explode". In this context, may I point out that as early as the 4th of May, 1979 (I brought a motion in this House and I forewarned the Government about the explosive situation in Assam.

Sir, I said—I am quoting from my speech in the debate on the 4th of May, 1979:

"The economic uncertainty in the mind of the younger generation has led to a sense of uncertainty in the entire area. It has affected emotionally and socially the feelings of integration of the people of that region. A feeling of suspicion and distrust is creeping into the minds of the people of this region against different communities of different areas and different States, and this suspicion cannot be removed except by tackling the problems in an earnest manner."

Further I had said:

"Forces which are opposed to the interests of this country are trying to use it as a chess-board. The Prime Minister and the Home Minister must have come information in this regard. Also a feeling has grown in that region that massive migration into that small region may lead to the danger that the local community may be quickly swamped and outnumbered. So all this has resulted in an extremely volatile situation and an explosive situation. Unfortunately, the State Government is not equipped either by way of personnel or resources by which there could be real development in that region without massive help from the Central Government."

And then I asked the Central Government to take note of all these factors. Sir, unfortunately though I heard some lip sympathy from the Central Government, nothing was done, with the result that today the State has exploded.

Sir, I will not burden this House by talking about the economic inequality that this region has suffered, except by giving one illustration, Sir, you know that power is a very essential infrastructure for the development of any area. The statistics regarding only the power poten-

tialities of that region will show how this region has been treated over the years. Since independence the power production in the entire north-eastern region has been of the order of 830 million units. And the north-eastern region comprises five States and two Union Territories. But the production of power in Maharashtra alone is 14,457 million units. I am not grudging the power production in Maharashtra, only I am pointing out for the imbalance that the power production is 14,457 million units in one State of Maharashtra but in the entire north-eastern region, an economically backward region, consisting of five States and two Union Territories, the production up till now has been a pittance, a mere 830 million units. Why is it so? It is because the investment in the power sector in the north-eastern region, in spite of the fact that it has the highest power potential of 30.3 per cent of the total power potential of the country, has been to the extent of only Rs. 248 crores. Compare this with the other regions. Rs. 248 crores for five States and two Union Territories. But for the Northern sector the allocation is Rs. 3,377 crores; Rs. 2,406 crores for the Southern sector; and Rs. 2,423 crores for the Western sector alone. Is it not a clear injustice done to the North-Eastern region? Naturally, the people living in the North-Eastern region are feeling frustrated, neglected and bewildered. Don't you feel that there is substantial justification for such feelings?

Even when the Central Government tried to do something for the State, the bureaucratic machinery comes in their way. Once it was decided to have three paper projects under the Hindustan Paper Corporation in this area for using the natural resources of the North-Eastern region. These three projects were drawn up—two in Assam and one in Nagaland. But the Head Office of that project was located at Calcutta,

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for reasons best known to the bureaucrats.

Then, again a special cell of the Agricultural Refinance Corporation was created to look after the development of the North-Eastern region. Imagine, where the Head Office was set up? The Head Office was located in Kanpur. You create a cell for the development of the North-Eastern region, but locate its Head Office in Kanpur. Can anyone in this House give any justification for this? Only when I raised this matter in the House, something was done to change it.

Sir, I can speak for hours about the economic inequality in the North-Eastern region. But because we are discussing a different subject today, I am not going into that. I have given statistics in order to show how economic under-development in that area has caused a lot of frustration in the minds of the people there.

Today there is a genuine apprehension in the mind of the people of Assam which this House must take note of. I have talked to various sections of Members. It appears that most of our friends here do not have a real understanding of the problems of Assam and the North-Eastern region. There is a genuine apprehension in the minds of the people of Assam that they are going to be out-numbered and swamped because, of massive influx of population. There is a real apprehension that their social, economic and cultural existence is in jeopardy. If you do not tackle this apprehension and if you do not make a realistic approach to this apprehension, any *ad hoc* measures by which you will try to solve the problems of Assam will only fail. If you use the machinery of police to tackle the problem, the problem will erupt in different forms, at different points of time.

We are feeling greatly perturbed—because we have our experience of

Tripura—that the ethnic population has been totally reduced to minority in the State. I do not know whether my friend from Sikkim is going to speak on the Calling Attention Motion. But there is a genuine feeling and apprehension in Sikkim that Sikkim is losing its cultural and social existence because of massive influx of population. May I point out in this context that the Assamese population probably is not in a position to send one representative to the Parliament? Is it the position in any other State in this country? May be from one or two constituencies they have not sent their representatives. But in Assam the ethnic population there is not in a position to send even one of their representatives to the Parliament. You must try to understand the feelings of Assamese people. Without a proper appreciation of their feelings there can be no rational solution to their problems.

The Government, from time to time, has admitted that there has been massive influx of foreigners into the State. May I quote one speech made by an important person in this context? He said this as early as in 1978. I am quoting from his speech. I will disclose the source later on. He said:

"I would like to refer to the alarming situation in some States, specially in the North-Eastern region, wherefrom disturbing reports are coming regarding large-scale inclusion of foreign nationals in the electoral rolls. In one case, the population in the 1971 census recorded an increase as high as 34.98 percent over the 1961 figures, and this increase was attributed to the influx of a very large number of persons from the neighbouring countries. The influx has become a regular feature. I think that it may not be a wrong assess-

ment to make on the basis of increase of 34.89 per cent between the two censuses, the increase that is likely to be recorded in the 1991 census would be more than 100 per cent over the 1961 censm. In other words, a stage would be reached when that State may have to reckon with the foreign nationals who may, in all probability, constitute a sizable percentage, if not the majority of the population in the State. Another disturbing factor in this regard is the demand made by the political parties for the inclusion in the electrol rolls of the names of such migrants who are not Indian citizens, without even questioning and properly determining their citizenship status."

This is not by one of the student leaders of Assam. This is a speech made by Shri S. L. Shakdher. Chief Election Commissioner, while address sing a conference of Chief Electoral Officers at Ootacamund, on September 24, 1978. This is the picture which has been projected.

DR. RAFIQ ZAKARIA (Maharashtra): He created this whole problem.

SHRI DINESH GOSWAMI: You remove him. This is the difficulty. Try to understand the problem. Even when a man who has nothing *to do* with the north-eastern region says this, Dr. Rafiq Zakaria says that he created the whole problem. Do not try to minimise the problem. May I point out that this point was raised in 1962 by Pandit Jawaharlal Nehru while addressing the Congress Parliamentary Party. I do not think that Dr. Rafiq Zakaria will then say that he created the whole problem.. (*Interruptions*). May I quote Mr. Jawaharlal Nehru? This is June 27, 1962; long 17 years have since passed. He said:

"You refer to Pakistan infiltration. This is perfectly true. But you will appreciate that this infiltration from Bengal to Assam has

been taking place for a very long time past. I remember reading about it in censm reports of half a century ago. Therefore, we should not look upon it as an essentially political move. Nevertheless, it is true that this infiltration should be stopped and effectively dealt with. I believe that much of this infiltration took place in the first five years after independence when the border was not adequately guarded..."

Therefore, Sir, as early as in 1962 this point was raised. May I also point out, Sir, that this apprehension wac voiced not by an Assamese—as back as in 1931? I am not saying that you remove those people of 1931. But when I am speaking this, you should not lose sight of the historical back ground. As early as in 1931, Mr. C. S. Mallan, ICS, made come observations. I am quoting his concluding words:

"It is sad but by no means im-probtMe that in another thirty years, Sibsagar district will be the only part of Assam in which an Assamese will find himself at home..."

Mr. Mallan is not an Assamese. He was then a census Commissioner.

Sir, we are not making any complaint about the people who came in 1931. We are not making any complaint against a person, who has the constitutionally or legally the right to be a citizen in this country. We are accepting them and we will continue to accept them. Anybody who is a citizen of this country, whether he came in 1931 or later, we will continue to accept him irrespective of his community, irrespective of his linguistic affinity. If at any time an attempt is made to drive them out, we will be the first people— or at least I will be the first person—to say that an Indian citizen has the right to be treated alike, as any other Indian citizen there, whether he is an Assamese, whether he is a Muslim or he

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is a Hindu or he is a Bengali... (*Time-bell rings*) Sir, this subject is vast and I would request your indulgence for another ten minutes...

SOME HON. MEMBERS: No, no.

MR. CHAIRMAN: We have a number of speakers who wish to participate. . .

SHRI SHYAM LAL YADAV (Uttar Pradesh); Sir, the honourable Member cannot go on like this. This is not a debate, this is a Calling-Attention. There are so many Members on the list. This cannot be a full debate.

MR. CHAIRMAN: Mr. Goswami, you can have five minutes.

SHRI DINESH GOSWAMI: Sir, I am not repeating anything and I will not repeat. This is a subject on which I am very much concerned...

MR. CHAIRMAN: Please finish in five minutes.

SHRI DINESH GOSWAMI: Sir, I was mentioning that we are prepared to accept everyone who is an Indian citizen. Our grouse is not against them, irrespective of their community. Our grouse is against foreigners, against inclusion of their names in the Voters list. Can anybody justify the demand that a foreigner's name should be included in the Voter's List? Can it be a legal right for a foreigner to be included in the Voters' List? If a foreigner is there, whichever caste or community he may belong to, whichever linguistic origin he may come from, his name should be deleted from the List. This is the minimum demand that we are making. Don't misunderstand us. Why has this critical situation arisen? Because, the people of Assam have felt that right from 1956 onwards even though they have been making repeated complaints there is nobody to listen to •

them. Now the Zero Hour has come and either it is now or never. It is therefore that there is this agitation the like of which India has never seen.

I may also point out that the population of Assam and the other States in this region has increased by 35 per cent during 1961-71 as against the national average of 25 per cent, or, in other words there has been an increase of 30 lakhs over the national average. The population increase in Assam during 1951-61 was 34.98 per cent compared to the national average of 21.61 per cent for the first six months of 1978. A large number of persons who were intercepted as foreigners—this is very important—said that they have come from various parts of India, particularly from two towns in Kachar District. The interesting feature is that the number of persons intercepted and who claimed to have come from the two towns was more than the total population of the said two towns. This is the situation.

Let us look at the voting pattern also. Why is this complaint? It is because during 1957-1971—this is a revealing statistics—in fourteen years there was an increase in the Voters' List by 12 lakhs, which means in fourteen years there was an average annual increase of less than a lakh of voters. Compare it with 1971-79. In the draft rolls of 1979 there was an increase of 28 lakhs, within eight years. It means there was an increase of 3.5 lakhs per year during these eight years. During 1957-71 the increase was less than a lakh per year but in eight years during 1971-79 the increase was 3.5 lakhs every year in the Voter's List. Obviously one must give an answer to this query as to how this could happen. If the Central Government can say, if the Home Minister can say, if he is in a position to say, that there are no foreigners in the Voters' List, let him say so. I am throwing a challenge to him...

MR. CHAIRMAN: But you give him a chance now to say.

SHRI DINESH GOSWAMI: If the Home Minister is in a position to say that there are no foreigners in the Voters' List in the State of Assam, let him say so in this House.

Sir, I have many suggestions to make. May I request the Home Minister to go through a very interesting book, "Sons of the Soil"? I have no time to quote from the book all that is needed, but there is a chapter on Assam, 'ethnic crisis and conflict in Assam'. Because of lack of time I shall not quote from it now, I would only request him to go through this book. This is a book written not by an Assamese. It is not written by an Assamese. It is written by Marion. Weiner. Kindly go through it.

AN HON. MEMBER: Give me a complimentary copy.

SHRI DINESH GOSWAMI: I cannot because the price is too high. It is true that there has been some effort to make it a linguistic or a communal issue. It is true that there has been large scale violence. We abhor violence and we condemn unequivocally the violence that has taken place in the State. The people of Assam, even in the height of communal tension in the rest of the country have always lived together. There has been not a single instance of communal riots in Assam. We have lived in peace and harmony and we do not want communal disharmony to take place in Assam. We have suffered from linguistic agitations. It has pained us that we have ourselves become victims of agitations. We do not want them to take place. You should not approach the whole problem from the angle of communal disharmony or linguistic trouble. If you take it as a conflict between Hindus and Muslims or a conflict between Bengalis and Assamese,

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erupt again later on. What I am asking you is that you should look at the totality of the problem and try to understand it. The people of Assam are not against any community or against any language. We will like to live in peace. If do not tackle the problem in its essence, then there will be some eruption here and there. Sir, I am concluding. I will only ask three or four questions. But I must point that that the agitation which has taken place....

(Interruptions)

MR. CHAIRMAN: I think you have made your point over and over again, Mr. Goswami.

SHRI DINESH GOSWAMI: I am coming to the main question. I would only point out that the agitation has been responded by the people. On the day a boy died in a place near Barpeta, I was in the House of a person whom I can call to be an aristocrat. There was a possibility of curfew being clamped and police firing taking place. Normally in such circumstances the reaction of the mother is to keep the children at home. I found on that day that the mother brought her grown-up daughter to the street and said that if there was curfew they would be the victims of police firing. Violent incidents took place at Duliajan. Five people died and 13 persons were injured according to official figure in police firing. Another estimate is that between 13 and 50 people died in police firing. Surprisingly, the same night when picketing took place, about 6000 people, mostly daughters and mothers, took part in the picketing. The movement has touched the heart of the people. If you ignore it, the results will be devastating. There have also been military excesses. Innocent women have been raped and tortured. My friend, Mr. Prafulla Goswami, will say more about it. I want that there should be an enquiry.

[Shri Dinesh Goswami]

ter is not here. What has been the response to her appeal to the students? It was stated in the Lok Sabha that there has been no response. Has there been any fresh development? My second question is whether the Government is contemplating to have a dialogue with the organisations, individuals and political parties to arrive at a comprehensive solution. I am aware that the Prime Minister sent two emissaries to Gauhati. They went as representatives of the ruling party. There has been a vast difference between somebody going as a representative of the ruling party and somebody going as the representative of the Government, I would like that the Home Minister himself should go if the Prime Minister is unable to go at this particular moment then somebody from the Government should go and talk with the various kinds of people so that the situation may be tackled. So, I would like to know whether there is any proposal to that extent. I would like to know whether the Government has chalked out any plan of action to defuse the situation, to hold the elections in the State as early as possible and, if not, how long the Government feels that it will take to evolve a plan of action in taking a comprehensive view of the matter. My fourth question is whether the Government has started an inquiry into the allegations that the Army was involved in mass scale atrocities on women in areas where the curfew was clamped. Sir, my last question is regarding the nomination paper of Mrs. Abida Ahmed. Sir, on the day when Mrs. Abida Ahmed was to file the nomination paper, there were police lathi-charge in a number of places. I am aware of the instruction by the Home Ministry that the police was to give protection to the candidates. We thought that Mrs. Abida Ahmed went for filing the nomination paper and, therefore, she was obstructed and the police resorted to lathi-charge. But, Mrs. Abida Ahmed later on gave a

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statement on paper that she did not go to file the nomination paper. And I have no reasons to doubt the veracity of the statement. In that case, I would like to know this from the Home Minister. From Gauhati to Barpeta, it is just 70 miles. On that day, a posse of police with vehicles went there. The proposer of Mrs. Abida Ahmed was at Barpeta. It is where the nomination paper was filed. I would like to know that if Mrs. Abida Ahmed did not go, why the police went in the manner they* went. Who went in that car? Why the police and the military went with a vehicle in which some top Government officials were there? Is it that the top Government officials were carrying the nomination paper? Was there any instruction from the Home Ministry that the Government officials were to carry the nomination papers? Or, is it that the proposer went? I would like to know this. If not, how these incidents took place? I can understand the Government, whether justifiably or unjustifiably giving protection to a candidate, and whether they have committed excess on that is a different matter. But, here, the candidate did not go. I would like to know why all this beating up took place on the way. A boy also died. I do not know whether any enquiry is made into the matter. If not, I would like to urge the Government to make an enquiry into the matter.

Sir, may I conclude by saying to the Government through the House to kindly take a comprehensive view of the whole situation? Kindly take it as a national problem. If you do not do so, well, Assam is burning. Sir, I will end by quoting the headline of a very nice article written by one noted journalist, Mr. Inderjit, that "Assam is not for burning."

MR. CHAIRMAN: Before I call upon the hon. Minister, I may say that if every Member is going to take thirty minutes on the Call Attention Motion, there will be no time left for others who are just as anxious to place their views before the House.

Therefore, a certain amount of brevity and lack of repetition is required so that we can get through a larger measure of opinion on this very difficult and very sensitive subject. I would request the hon. Members to be as brief as possible and to avoid repetition. Now, the hon. Minister.

SHRI P. VENKATASUBBAIAH: Sir, at the outset, I may inform the hon. House through you that the Prime Minister has a very important engagement just now.

MR. CHAIRMAN: You are here. That is just quite enough.

SHRI P. VENKATASUBBAIAH: And the second thing is that soon after the Prime Minister assumed office, the first thing she did with the Opposition leaders was to highlight the problem facing Assam. And again she has sent two of the senior party members to Assam to go into the matter, and discuss not only with the students but also with the various sections of the population. They went there, they went to the refugee camps and saw how the refugees were being rehabilitated and how they were being fed. Sir, we are one with the hon. Member when he says that this is a difficult task and this region is a very sensitive region. I may say here that these people are acting as sentinels to the integrity of this country. They are a part and parcel of our country and it is our duty to see that nothing that goes against their interests happens there. Sir, this problem is a multi-dimensional problem, namely the influx of refugees, the influx of people from outside, this question of foreigners. The Prime Minister has explained in the Lok Sabha yesterday that different sorts of interpretations are being given with regard to foreigners. We cannot have a cut and dried solution for this matter. This has to be discussed in depth and a consensus has to be evolved.

Sir, I am glad that Mr. Goswami has said that anybody from any part

of the country can go there and settle there and they would have no objection to it because he would be a citizen of this country. This will make it easier for the Government to tackle the situation. Then, Sir, regarding the question of entering into a dialogue with the people concerned there, I may tell the hon. Member that in an atmosphere surcharged with violence and tension it will not be appropriate to do so at this stage. I would only appeal to the hon. Member to kindly use his good offices with these organisations which are agitating and agitating in a violent manner and see that normalcy is restored. Sir, Assam, where our oil installations are located and where we have our tea gardens, is playing a very big role in the economic development of our country. Unless normalcy is restored in that area, our economy will suffer to a great extent. So, I would only request the hon. Member to use his good offices in this matter.

Sir, the hon. Member referred to the neglect of Assam by the Central Government. In this country there have been regional imbalances. In many places these regional imbalances do exist in spite of the fact that Government has taken many steps, through the Plans and besides the Plans, to see that these regional imbalances are corrected. In the same breath Mr. Goswami says that the Central Government was willing and anxious to provide some financial assistance to the Government of Assam but the bureaucracy came in the way. I am glad that that point has been made out very clearly. We will see that since Assam is now under the President's rule the Central Government makes every effort to reduce these regional imbalances and the development of Assam is taken special care of. With regard to the question whether the Government was thinking of chalking out any plan of action. I have answered it just now. With regard to the question of starting a dialogue also I have made my submissions.

[Shri P. Venkatasubbaiah]

The hon. Member expressed some suspicion regarding Shrimati Abida Ahmad filing her nomination papers and the circumstances leading to it. Sir, it is not of our making. It was the previous Government which was at the helm of affairs when this happened. I would only assure the hon. Member that we would inquire into the matter. Shri Goswami then raised the question about the involvement of the Army which committed some excesses. If specific instances are brought to the notice of the Government I assure the hon. Member that suitable action will be taken in the matter.

SHRI ROBIN KAKATI (Assam): Mr. Chairman, Sir, I first express my thanks to the Minister of State for Home Affairs for his statement regarding the situation in Assam though he did not mention the main causes which led to the present situation in Assam. Sir, Assam is in turmoil. It is crying in agony for help and sympathy from the brothers and sisters of India and it is fighting alone by a peaceful and non-violent movement to preserve its identity. I may inform the House that students and other youth community in Assam lost faith in the leaders of Assam belonging to various national political organisations because they felt that these people have failed to take action in time to preserve and save the Assamese people from the influx of foreign nationals. Sir, we have to see whether the fear of the Assamese people of losing their identity is real or imaginary. We are to find out the facts. Sir, I may report here that the alarming influx of foreigners into Assam in recent years is proved by the following facts.

The number of voters in Assam increased in fourteen years from 1957 to 1971 by 12 lakhs, that is, below one lakh per year but, Sir, from 1971 to 1979, the number has increased by 20,45,692 which works out to an in-

in Assam between 1961 and 1971 as against the all-India average of about 24 per cent.

Sir, another point I want to mention is, especially in Goalpara, Kamrup, Nowgong and Karbianglo districts, growth of population during the above period according to 1971 census was 38.29 per cent, 44.12 per cent, 38.83 per cent and 62.30 per cent respectively. Again, Sir, _____

MR. CHAIRMAN: May I request the hon. Member to be careful to save time. The figures had been read out by the last hon. Member also. The point can be made that there has been a greater increase in population than is warranted by natural growth that it can only be the result of influx. If this has been said, it is quite enough.

SHRI ROBIN KAKATI: I would like to prove that this is not due to natural growth. It is due to the influx of foreign nationals. I would also like to say that 50,000 Nepalis came from Bhutan and they are now settled in Assam. Thousands of Nepalis in recent years are leaving their places of living in the hill States around Assam and are now entering into Assam and settling down in Assam.

Sir, I would also like to point out that in the Sadia Mouza area, the Nepali population in 1961 was about 6,000 and in 1971, it increased to 27,000. I would also like to mention other reasons for this influx. At the time of the Bangladesh War, the Assam borders were open to refugees from East Pakistan. A large number of refugees entered into Assam. According to police reports, 11 lakh people remained in Assam after the creation of Bangladesh. After the murder of Sheikh Mujibur Rahman, there was a panic in Bangladesh and a large number of people from Bangladesh entered into Assam. I would also like to say that in the towns and rural

desh is pushing the Bihari West Pakistan Muslim population into Assam. This is not only a grave danger to Assam, but it is a danger to the whole nation. Sir, in regard to this movement, I would like to say that this movement was spontaneous. This movement led by the students was peaceful. But there are some agent provocateurs. But there are some people who want to divert the main issue and who would like to malign the students. Hence, there have been some incidents and we are sorry for them. I would also like to refer to the recent happenings in North Kamrup. In this area, there have been some communal riots, burning of houses and looting of properties.

MR. CHAIRMAN: The number of illustrations that you are giving is not adding weight to your argument. The argument is that there has been an influx of foreigners from all sides of Assam, swelling up the population of Assam and that is the crucial point. The numbers do not matter whether they are five lakhs or five and a half lakhs.

SHRI ROBIN KAKATI: No, Sir, it is more than 35 lakhs. More than 35 lakh foreign nationals are there in Assam and it will be proved by the facts and figures. Also, Sir, in 1977 the Chief Electoral Office of Assam wrote to the Government of India like this; I quote:

"The influx of very large number of persons from foreign States creates more problems as these people always milled enumeration agency to have their names included in the rolls by adopting all means without following the constitutional course."

MR. CHAIRMAN: The hon. Minister has given an assurance to hon Shri Goswami on this point and you have already heard him. There is no point in asking from him the same assurance to be given again and again.

965 RS—2.

SHRI N. P. CHENGALRAYA NAIDU (Andhra Pradesh): He is only emphasizing.

SHRI ROBIN KAKATI: Sir, it is a big problem and we want to acquaint the House of our problems. I only want one clarification from the hon. Home Minister who is present here. What steps does the Government contemplate or is going to take in regard to solving the problems of foreign nationals, i.e. deletion of the names of foreign nationals from the voters' rolls and detection and deportation of the existing foreign nationals from Assam? Lastly, What steps is the Government going to take to stop influx of foreign nationals into Assam.

गृह मंत्री (ज्ञानी जैल सिंह) : माननीय श्री भास्ति जी, हमारे ऑनरेबिल मेम्बर जहाँ पहले बोल रहे थे उन की ही बातों को हमारे दूसरे माननीय मेम्बर साहब ने दोहराया है। तकरीबन सवाल भी वही उन्होंने किये हैं। सिर्फ लफ्जों का हेर-फेर था। मैं इस बात में उन के साथ इत्तफाक करता हूँ कि यह एक गंभीर समस्या है और इस के लिये नेशनल सतह पर सब को मिल कर सोचना चाहिए और सरकार को गंभीरता से इस पर काम करना चाहिए। साथ ही स्वामी जी ने कुछ बातों का ब्योरा दिया है जिन का मुझे पता भी नहीं था।

डा० भाई महावीर (मध्य प्रदेश) : स्वामी जी कौन से ?

ज्ञानी जैल सिंह : गोस्वामी जी। माननीय मेम्बर ने एक बात कही कि 1979 की 4 मई को इसी जगह पर एक बात कही गयी थी कि वहाँ के हालात बहुत खराब हो रहे हैं। फिर उन्होंने यह भी बताया कि 1978 में एक मेम्बर ने इसी सदन में कहा था कि ईस्टर्न रीजन के हालात खराब हो रहे हैं। तो मैं महसूस करता हूँ कि इस बात का जवाब वह खुद ही दे गये हैं कि ये हालात क्यों खराब हो गये हैं। यह हमसे पूछने की जरूरत नहीं है। मैं समझता हूँ कि जब 1978 में ये बातें नज़र आ रही थीं कि असमियों के दिलों

[श्री जैल सिंह]

12 Noon.

में शको-शुबहा पैदा हो रहे हैं कि कुछ विदेशी लोग घुसे हैं, वोटर्स लिस्टों में कुछ नाम ऐसे आ गये हैं जिनको हक नहीं था तो सरकार को चाहिए था कि उस मामले में गंभीरता से काम करती। खैर वह सरकार अब रही नहीं, इसलिए मैं उस सरकार को कुछ नहीं कहता लेकिन जो बेरवा उन्होंने दिया है उसको मैं गौर से देखूंगा कि क्यों सुस्ती की गई। मैं भी मानता हूँ, जैसा उन्होंने कहा, कि गृह मंत्री को वहाँ जाना चाहिए मैं विश्वास दिलाता हूँ कि वहाँ मैं खुद पहुँचूंगा, हमारे और कुलीग भी वहाँ जायेंगे। साथ ही मैं मैम्बर साहबान से यह प्रार्थना करूंगा कि इस मामले में कुछ बातें ऐसी हैं जिनको उठाना देश के हित में नहीं है। न उनका जवाब मांगना चाहिए, न उन बातों का सवाल करना चाहिए तभी यह मामले सुलझ सकते हैं। जो काम अब तक हुआ, हमारी सरकार के बनने से पहले, उनका मैंने अनुभव किया है कि या तो वह बहुत पालाईट थे या बहुत फर्क थे। दोनों चीजें इस्तेमाल करने की जरूरत है। फर्मनेस भी चाहिए, पोलाइटनेस भी चाहिए। लेकिन जब किसी मामले को जो आम जनता के साथ ताल्लुक रखता है, सुलझाना है तो सख्ती के साथ हल करना ठीक नहीं है। हमने उसको छिपाकर नहीं रखा। हमारी प्रधान मंत्री जी ने अपोजिशन के लीडरों से सलाह-मशविरा किया है। हमारे नुमाइंदे वहाँ गये हैं। हमने वहाँ के गवर्नर साहब को यहाँ बुलाकर उनसे भी बातें की हैं और वहाँ के मुख्य मंत्री जो वहाँ हैं, मेघालय के और मणिपुर के, वह भी आये थे, उनसे भी सारी बातें हुई हैं उन्होंने इन सब मामलात को हमारे सामने रखा है। मैं हाउस को इस मामले में विश्वास दिलाता हूँ कि हम इन सारी बातों को ऐमिकेबली सुलझाने के लिए पूरा-पूरा यत्न करेंगे और उसमें हमारी नीति यही रहेगी कि देश के लोगों की जो भावनायें हैं, जो लोकल सेंटीमेंट्स हैं उनका

सत्कार करते हुए, उनका ज्यादा से ज्यादा सम्मान करते हुए भी कम गिनती में जो लोग बसे हैं ख्वाह वह लिग्विस्टिक माइनारिटी है या रिलीजस माइनारिटी है, उनका भी सम्मान किया जाएगा ताकि देश के किसी हिस्से में कोई भी इंसान अपने आप को मजबूर न करे कि उसको धटिया समझना पड़ता है और कोई यह भी न कह सके कि वह बड़ा है। इस देश के सिचीजन ए, बी और सी क्लास के नहीं हैं, हिन्दुस्तान के सिटीजन सब ए क्लास के सिटीजन हैं, यह भावना उनके हृदय में डालनी चाहिए।

मुझ से यह भी सवाल किया गया था कि विद्यार्थियों से क्या बात हुई। अभी तक विद्यार्थियों से बात कोई हुई नहीं है, मगर यह हमारे पास संदेशा पहुँचा था कि विद्यार्थी जो हैं वह बातचीत करना चाहते हैं, उनके दिलों में देश के लिए मोहब्बत है, प्यार है। सेसनिस्टों की जो बात करते हैं वह बनावटी है। माइक्रास्कोपिक माइनारिटी के कुछ लोग ऐसे हो सकते हैं इससे मैं इंकार नहीं करता कि कुछ दुनिया की ताकतें हैं जो विदेशों में सदाबलत करती हैं, सीधे तरीके से नहीं करती हैं, टेढ़े तरीके से करती हैं, दौलत भी खर्च करती हैं, दबाव भी डालना चाहती है और हमारे देश में बदअमनी भी पैदा करना चाहती हैं, मगर जब तक हम इस सबका नखेरा नहीं कर लेते हैं तब तक हम किसी विदेशी देश के ऊपर इसका इल्जाम नहीं लगा सकते। मगर मैं एक बात जरूर कहना चाहता हूँ, कि हिन्दुस्तान की सरकार इस बात पर काशस है, इस बात पर अलर्ट है, इस बात पर जागृत है कि कोई भी हिस्सा हिन्दुस्तान का इस देश से अलाहिदा करने का कोई भी ख्याल पैदा करेगा उसको इस हिन्दुस्तान में जगह नहीं मिलेगी। वह हिन्दुस्तान में नहीं रह सकता। आर्गोनाइजेशन के साथ भी बात करने के लिये कुछ सन्देश मिले हैं। यह गवर्नमेंट हर तबके, हर ख्याल के, हर विचार के लोगों के साथ बातचीत करने के लिये तैयार है। जो भी चाहे वह बात कर सकता है।

आनरेबल मੈम्बर साहेबान ने एक और प्रश्न किया था कि सैन्ट्रल असिस्टेंट उनको बहुत कम मिली है। हम उस मामले को देखेंगे, विचारेंगे। हमारी तो नीति यह है कि वहां ज्यादा से ज्यादा असिस्टेंट देते हैं जहां ज्यादा जरूरत हो और जहां कम जरूरत हो उनसे प्रार्थना करते हैं कि आप अच्छी हालत में हैं और हमारे जो दूसरे भाई हैं वे बहुत बुरी हालत में हैं उनको असिस्टेंट की ज्यादा जरूरत है। असिस्टेंट्स की उनकी जो चिंता है वह उनकी नहीं करनी चाहिये, इस मामले में हम पूरा ध्यान देंगे।

वहां की जनसंख्या के लिये यह बताया गया कि वहां एक दम 33 लाख लोग बढ़ गये हैं। मन्बर साहेबान की जो फिक्र है, जो चिंता है उनके साथ मैं सहमत हूं। मगर यह देखना पड़ेगा कि कुछ इलाकों में ऐसा है कि जहां बच्चों की पैदावार बहुत ही हो जाती है। हमारी यह नीति रही है और अब भी हम चाहते हैं कि बच्चे कम पैदा हों, आबादी कम बढ़े लेकिन नेग.सिएशन से और प्रेरणा से सारी बात करना चाहते हैं। मैं यह कहना चाहता हूं कि कुछ इलाके ऐसे हैं जहां लोग इस बात को मानते ही नहीं। मैं नाम नहीं लेना चाहता लेकिन मुझे याद है कि एक अच्छे नेता थे, एक स्टेट के मिनिस्टर थे। वह अपनी निरादरी के लोगों को जाकर कहते थे कि मैं आकर तुम का कहूंगा कि फैमिली प्लानिंग करनी चाहिये लेकिन आपको फैमिली प्लानिंग नहीं करनी होगी। अगर फैमिली प्लानिंग हो गई और हमारे वोट कम हो गये तो हमारा कोई ठिकाना नहीं रहेगा। यह बात देखने लायक है कि विदेशी लोग यहां आए हैं या पैदावार इतनी हो गई है। आबादी कैसे बढ़ गई है इस बात को देखना है।

SHRI A. G. KULKARNI (Maharashtra): You recommend them the 5-Point programme.

20 प्लस 5 मिलकर 25 प्वायंट प्रोग्राम हो जाएगा।

जाननी जैल सिंह : 20 प्वायंट प्रोग्राम के बारे में जब समय आएगा तो मैं जिक्र करूंगा क्योंकि इसके साथ रिलेवेंसी नहीं है। 5 प्वायंट प्रोग्राम को मानना कोई बुरी बात नहीं है।

डा० भाईमहावीर : Mr. Chairman, may I seek one clarification.

मंती जो ने अभी जो बयान दिया है मैं जानना चाहता हूं कृपया वह बतायें कि किसी भी कसौटी को तय करने के बाद कोई विदेशी साबित होते हैं तो क्या इन विदेशी लोगों के नामों को हटाने के लिये सरकार कोई प्रभावी कदम उठायेगी ?

जाननी जैल सिंह : मैं आपसे प्रार्थना करता हूं कि आनरेबल मेम्बर साहेबान इस बात से सहमत होंगे कि कुछ समय लगता है विदेशी का उस देश का सिटीजन बनने के लिये। अगर विदेश से आकर उसने अपना सिटीजन बनने का अधिकार प्राप्त कर लिया हो तो सरकार के पास कोई चारा नहीं होगा कि उसको निकाल फेंके।

DR. BHAI MAHAVIR: That is not the question at all.

जाननी जैल सिंह : अगर यह साबित हो जाए कि वह विदेशी है और हिन्दुस्तान का सिटीजन नहीं है तो वह सूची में नहीं रहेगा।

[Shri Bipinpal Das] this region was projected in this House on various occasions by many hon. Members, including myself. Therefore, when we discuss this subject, I would request the hon. Minister to keep in mind the extremely sensitive nature of this region while answering any question.

The situation in Assam today is extremely, serious and delicate and, therefore, it requires a very careful handling. What we say and what we do we must say and do after careful consideration. I understand that the Prime Minister has taken an initiative already to handle the situation. She has already taken some initiative and we hope that the Government ultimately will be able to find some solution to the problem. In such a situation, I do not think we should create any fresh difficulty in the way of the Government handling such a delicate matter. Sir, this is not a party question at all. This is not a problem of Assam alone. This, is what I want to emphasise. This is not a communal question or a linguistic question. This is not a provincial question. This is not a party problem. This is, if I may say so in all humility, a national problem and it is the common responsibility of everyone in this country, particularly the Members of this House and the other House, to see that some solution is found and normalcy is restored—that must be the objective—instead of trying to find fault with each other.

Now, what is the essence of the problem? As other hon. Members have said already, the essence of the problem is the influx of foreign nationals from Nepal and Bangladesh. It is not a question of Muslims or Bengalis or Nepalis. Foreigners from Bangladesh, the then East Pakistan, used to come before also, but the influx from Nepal is of recent origin. So it is the influx from these two countries mainly that has created the problem. That must be understood very clearly. Sir, this problem of influx from the then East Pakistan, now

Bangladesh, has been there for quite some time and, as Mr. Goswami points out, Pt. Nehru referred to it long ago. The Central Government and the State Government tried to solve this problem by some measure. I know that the Congress Government in Assam during Chaliha's time and during Sinha's time tried to deport the foreign nationals from the State across the border. But the border is so open—un-guarded practically—and access from this side to that side so very easy that deportation has not become effective. I must point out that, the check-posts are ineffective. If the deported people, they can easily come back. There is an instance that I can quote where a single individual was deported nineteen times and he can come back nineteen times. So this is a very difficult problem. It is not that the Government did not try to solve the problem, but they have failed so far. Therefore, the Government will have to find out and think of some more effective measures. That is the point I am making.

This problem of influx of foreign nationals, particularly into Assam, has increased in recent years. If I may say so, during the last three years, for reasons I do not want to explain, this has increased manifold. And what is the consequence: that it has created a scare, an apprehension and a fear in the minds of the indigenous people that they will ultimately be outnumbered in course of time, they will be reduced to a minority and they will lose their cultural identity. This is the heart of the problem. There is nothing else. You talk to anybody in a village or a town of Assam—a common man—and ask him: Why are you supporting this movement? The answer will be that the fear of the local people is that they will be outnumbered in course of time and they will lose their identity and will be reduced to a hopeless minority. And this problem was focused by no less a person than the Chief Election Commissioner himself, as quoted by Mr. Goswami. I am not going into that. Take the example of

Tripura. The other day, even the Prime Minister referred to Tripura in the party meeting. Now, if you go to Assam and talk to the people there, they will immediately quote the example of Tripura. They will tell you that the local Tripuris have been reduced to a minority of 19 per cent in course of time, because of influx of people from other regions. What happened in Sikkim? The Lepchas and the Bhutias have been reduced to a minority, and others who came into Sikkim have become the majority. So, the same fate may take over Assam also. That is the feeling of the indigenous people there, and this is the heart of the problem. This, Sir, in my opinion is not a law and order problem. The law and order problem is there no doubt. I am coming to that. But essentially it is a political problem. It is a national problem and it must be tackled from that point of view.

Sir, the demand of the agitators is revision of the electoral rolls and deportation of the foreign nationals. Some solution must be found to that. The agitation is led by the students, and I must make one statement here. The agitation was started by the students, mainly led by the students organisation called the All Assam Students Union, the AASU. This organisation is not affiliated to any political party. The leadership of this organisation has no political leaning. They are non-political so to say. They have taken up this cause and they are leading this agitation. In all fairness, I must say that the AASU leadership has been trying to maintain the peaceful and secular character of the movement. I again repeat: The AASU leadership has been trying to maintain the peaceful and secular character of the movement. Some other groups have come in. Some Local parties have joined it, some organisations have joined it. In spite of that, the movement was peaceful for quite some time. There was a mass upsurge. Sir, you can never imagine what kind of mass upsurge took place there in the last four months. I have not seen such

a mass upsurge even during the national freedom movement, I must say. Every house was touched, and lakh. of people offered for satyagraha and picketing. Not less than half of the women, some with babies in arms sitting overnight and offering satyagraha or picketing. This kind of mass upsurge covering all the villages and towns was never seen in the history of Assam up till now. The question is; Why? We must go to the heart of the problem. It is because everybody is feeling that his future is dark, that his future is bleak, that he will be extinguished and that he has to survive. This is why the movement has assumed the unprecedented proportion.

But I must also mention that some other forces have taken advantage of this sentiment of the people, the indigenous people. I will name them. Some other forces have taken advantage of this sentiment of the common people of Assam and are trying to create problems of law and order. Who are they? Excuse me saying this. I do not want to be partisan. But I must say this, because it is a fact. It has come out in the press. No less a person than the General Secretary of the RSS, Mr. Rajendra Singh, goes there, tours the whole State, instigates the people and tries to give communal colour to the whole movement. I have got reports. The Anand Margis have been active in this movement. They are not on the surface. The movement is there. The sentiment is there. They go to the villages and the nooks and corners of the towns. They try to take advantage of the situation. Similarly, the communal forces and the chauvinistic forces are trying to take advantage of the situation. May I also point out the suspicion that we have that some foreign agents also may be there operating from behind? I must make it clear that the student leadership is free from all this. They mean business. They are speaking of one issue only. They are trying to maintain the democratic and peaceful character of the movement. But taking advantage of the mass upsurge and the mass sentiment, the other forces including some foreign agents are trying

[Shri Bipinpal Das]

to create conditions of chaos, disorder, violence and so on and so forth.

This is the crux of the situation in my State today. Sir, there are also reports that atrocities have been committed by the guardians of law and order. I am very sorry to hear this. It has happened in my own district. Reports have come out. That also must be taken as a serious note of. Law and order must be maintained. But, I emphasise, law and order must be maintained not by committing atrocities or excesses on innocent people, particularly women. That was a very sad aspect of the whole situation..

The care-taker Government was unable to do anything. They did not care to understand the problem. They did not care. Now, Sir, the time has come when some solution must be found. A political solution must be found to this problem and normalcy must be restored. This is the task for Mr. Zail Singh; this is the task for Shrimati Gandhi and her Government. I may in passing say—not because I belong to the party—that only last week I was in Gauhati and I met a large number of people, people who were sympathetic to the movement, people who have joined the movement. They came to my house and said, "Now that Indiraji has come to power at the Centre, we hope our problem will be solved." Sir, • I am not telling an untruth. They hope so. The hope is there. They said, "We hope this problem will be ultimately solved by the new Government. The old Government failed completely." So this is the confidence they have in this Government. Mr Zail Singh, this is the confidence they have in you. I hope you will prove true to the confidence they have placed in you. Therefore, all efforts should be made by all concerned to find an amicable and peaceful solution to the problem in accordance with law and the prescribed rules of procedure. It cannot be outside the Constitution. There is the Constitution; there are the various

laws and various rules regarding who is a foreigner and what to do with them and how to deal with them. Therefore, in accordance with law, in accordance with the prescribed rules and the Constitution, a peaceful solution must be found by the Government and everybody should co-operate with the Government in this matter.

Now I will only ask a few questions. Some of them he has already answered. The first thing is, the Government must work out a correct definition of who is a foreigner. There are various Acts. There is the Constitution. There are international agreements like the Nehru-Liaquat Ali Pact and the Indira-Mujibur Rehman Agreement. In the context of all these, you must very clearly state who is a foreigner, because there is confusion. I must honestly say that there is confusion as to who is a foreigner. A number of articles have appeared, but there is still confusion. That must be clearly defined. Only then you can identify according to that definition and say that so-and-so is a foreigner. And if he is a foreigner and it is so established through the legal process, he will have to leave this country—there is no doubt about it—and his name must go out of the electoral rolls. I ask the Home Minister whether they have started this exercise for a precise definition...

SHRIMATI AMBIKA SONI (Punjab):
Who is a "foreigner", according to you
(Interruptions).

DR. BHAI MAHAVIR: Don't you have any definition of "foreigner" so far?

SHRI BIPINPAL DAS: You do not know what is going on there. You are talking from text-books. In textbooks you will not find an answer. You go there and see the situation created there. I am saying that an exercise must be started by the Government to define "foreigner".

DR. BHAI MAHAVIR: Do you accept that one who is not an Indian citizen is a foreigner. Is this not a definition?

SHRI BIPINPAL DAS: You have not understood me fully. You have not heard me fully. I say, in the context of the Constitution, in the context of the Foreigners Act, in the context of the Citizenship Act, in the context of International Agreements

MR. CHAIRMAN: Please don't enter into a dialogue.

SHRI BIPINPAL DAS: I am sorry.. Sir.

MR. CHAIRMAN: There are many people competent to answer the question 'who is a foreigner'.

SHRI BIPINPAL DAS: So "ar as I am concerned...

SHRI NARASINGHA PRASAD NANDA (Orissa): He should indicate. If he wants to score a debating point, it is a different thing. After all, we are all interested in solving the Assam problem. Now, the crux of the problem is "foreigners". Let him indicate whom he calls a foreigner. Let us know. He is an Assamese. Let him indicate whom he calls a foreigner. That is all.

SHRI BIPINPAL DAS: So far as I am concerned, for your information, I know it; my mind is very clear as to who is a foreigner. A confusion has been created, a public controversy has been started, in my State. Therefore, the Government must come out very clearly as to the definition of a foreigner. As far as I am concerned, I am very clear in my mind who is a foreigner. I have no doubt about it...

SHRIMATI MARGARET ALVA (Karnataka): Then tell us.

SHRIMATI AMBIKA SONI: If you claim to be so clear, then let us know what it is.

SHRI BIPINPAL DAS: Sir, my second question is..

DR. BHAI MAHAVIR: Sir, if he is so clear in his mind, then why does he not give us the benefit of the clarity of his mind?

SHRI BIPINPAL DAS: You are a learned man, I need not tell you...

DR. BHAI MAHAVIR: At least tell us what you know of it.

MR. CHAIRMAN: There is no use disturbing a Member. If you have a better definition of a foreigner you can keep it.

SHRI BIPINPAL DAS: Sir,, my second question is: What progress has been made so far by the Government. .,

DR. BHAI MAHAVIR: Sir, since he is on his legs and he says he is very clear in his mind, let us be benefited by it.

SHRI BIPINPAL DAS:... in their initiative to start a dialogue with the leaders of the agitation? The third question: Has the Government received any report of allegations of atrocities and excesses committed by the guardians of law and order? If so, what steps have been taken? What steps have they taken to compensate the victims of violence, arson, atrocities, etc.? What steps has the Government taken, because Assam is under President's rule, to streamline the administration and to restore law and order? My last question is: Has the hon. Home Minister or the Government come across a thing called "Project Bmhamaputra" issued by the USIS in New Delhi to their counterparts in Calcutta? If they have come across this document "Project Brahmaputra" what is the interpretation which the Government wants to give to this document? This may be ultimately found to be relevant in some respects.

ज्ञानी जैल सिंह : आनरेबल मेम्बर विपिन पाल दास ने कुछ प्रश्न उठाये हैं। एक तो चेक पोस्ट का उनका ख्याल है कि, कम हैं और विदेशी लोग वहाँ घुस आते हैं। उसके लिए तीन दिन हो गये हैं आर्डर कर दिया था और चेक पोस्ट्स वहाँ डबल कर दी गयी हैं। उसको

[श्री नीलेश सिंह]

अगर जरूरत पड़ेगी तो और भी स्ट्रेंथेन किया जायगा। एक बात उन्होंने कही कि अस्सामियों को खतरा है कि वे होपलेस माइनारिटी में हो जायेंगे। इस बात के लिए हम पूरा ध्यान देंगे ताकि उनके इंटीमेंट्स को इन्जर्न न किया जाय और किसी गैर तरीके से उनको नुकसान पहुँचाने वाली ताकतें जो उनका नुकसान न कर सकें इस बात के लिए सरकार ध्यान देगी। मैं भणकूर हूँ आन्तरेबल मेम्बर का कि उन्होंने खुद माना कि यह प्रॉब्लम ला एण्ड आर्डर की है, पॉलिटिकल भी है, अगर सबसे बड़ी बात यह है कि यह नेशनल प्रॉब्लम है और नेशनल प्रॉब्लम को हल करने के लिए हमारे डेमोक्रेटिक सेट अप में कोई पर्टी चाहे छोटी हो, बड़ी हो, रूलिंग हों, या ऑपोजीशन में हो सबको मिलकर इसका यत्न करना चाहिए। अमी-अमी राज्य मंत्री जी ने आपको बताया था कि इस प्रॉब्लम को हल करने के लिए प्रधानमंत्री जी ने सबका कोऑपरेशन भी मांगा है और सबसे सलाह भी मांगी है। हम उसी तरीके से इसको करेंगे जिससे कि इसका एमीकेबली रास्ता निकल आये। उनका यह प्रश्न है कि विदेशियों की डिफिनीशन की जाय। इसके लिए भी सरकार पूरा ध्यान देगा ताकि विदेशी लोग जो हैं वे किसी गलत तरीके से हमारे मुल्क में आकर कोई गड़बड़ी पैदा करने की कोशिश न कर सकें। इसके लिए हम पक्का बन्दोबस्त करेंगे। उनका खयाल है कि मैं उनको बताऊँ कि अब तक क्या प्रोग्रेस हुई है। इसके लिए जो हमने कदम उठाये हैं वे एडमिनिस्ट्रेशन को स्ट्रीमलाइन करने के लिए गवर्नर साहब सेबात की है और कुछ जो चीफ मिनिस्टर्स बड़ा इस्टिमं रीजन के हैं उनसे भी बात की है। हमने यह पक्का फैसला किया है कि जिन अफसरों ने सुस्ती दिखाई है, कमजोरी दिखाई है, नेगलीजेंस किया है, उनको वहाँ से रिमूव करें। और हम इस बात का भी ध्यान रखेंगे कि कोई अफसर किसी एक तबके के लिए दूसरे का नुकसान करने के लिये तो नहीं काम करता। इसके लिये भी हमने एक चैकिंग का काम शुरू कर दिया है। मैं माननीय सदस्य को

विश्वास दिलाता हूँ कि इस मामले में ज्यादा कुछ कहने की अब जरूरत नहीं है क्योंकि सब बातें वही हैं जो बार-बार आती हैं। उनका बार-बार जवाब देने से कुछ बनेगा नहीं। एक बात मैं कह दूँ कि इस मामले में सरकार पूरा ध्यान देकर इसको संभाल रही है और हमको पूरी आशा है कि अस्सामियों के मामले को एमि-केबली सॉल्व किया जायगा। बहुत से सन्देश आए हैं एजिटेटोर्स की तरफ से और दूसरे लोगों की तरफ से भी कि जब से हिन्दुस्तान की प्रधान मंत्री श्रीमती इंदिरा गांधी बनी हैं उनको पूरा विश्वास हो गया है कि उनके साथ पुराना व्यवहार नहीं होगा, जिस व्यवहार से उनके शक्को-शुबह बढ़ें थे, वे सब मिट जायेंगे और वे आकर के, बात करके इसको निटालें।

DR. BHAI MAHAVIR: Should one be a sycophant at every point of time?

SHRI BHUPESH GUPTA (West Bengal): We have been listening to the speeches that have been made on the subject. I entirely agree that it is a complicated and delicate subject. Therefore, when we speak, we must speak keeping in view what should be our immediate concern—I use the word 'immediate' advisedly—to bring about a halt to the situation which has arisen and reverse the process in the direction of peace, amity and normalcy. To this, naturally, we are called upon to address our attention, and, if I may say so, also our united collective efforts.

Sir, certain things have to be clarified in this connection. Views have been expressed and will be expressed and I do not think anybody in this House, whether on that side or this side, wants to aggravate the situation. But that should not lead to a position that we should speak with the tongue in the cheek or try to bypass some of the urgent aspects which need the attention of the Government and all of us.

It is a matter of profound sorrow and, if I may say so, shame that we see the fratricidal conflict in Assam which threatens not only the future of Assam, but the integrity of the country. But then people have legitimate grievances in Assam. I am not naming anybody or any class of people. They have accumulated over the years.

My friends opposite seem to think that they are the creation of the Janata Party rule. That would be a wrong thing and partisan way of looking at it. The Janata Party rule was responsible because it was one of the most incompetent, inept, unimaginative and wooden-headed Governments perhaps the Parliament had experienced. But then, you had also been in power before, under the weight of your sins of emergency, you collapsed to be revived again by a mandate.

Now, as a matter of fact, over the years under the Congress rule, my friend Shri Bipinpal Das was, I believe, the Minister of State for Foreign Affairs. He should know the definition of 'foreigners'. So, this has been accumulated by Shri Dinesh Goswami and other stalwarts of the Congress Party at that time. Shri Dinesh Goswami, by accident of history, is now an Independent Member of this House. He has very rightly quoted some of the things and it is a fact that this region has been neglected in its economic development in various ways. In different degrees they do. And they do have serious grievances against the Centre. The Centre-State relations had never been put on an even keel for many years, and my friend here sitting as the Home Minister, once a Member in this House when he was perhaps a little better than he is now—he should know what it means. He also said something in this House. He never spoke very much . . . (Time bell rings).

MR. CHAIRMAN: May I remind the hon. Member that the Calling Attention Motion is intended to refer to

Assam, and not to the hon. Member. .
(Interruptions) .

SHRI BHUPESH GUPTA: Sir, I am beholden to you. Sir, the Calling Attention, as you know, has one human aspect also . . . (interruptions) Therefore, I sometimes call attention, while calling attention, to the Minister also—which one gives more attention, I do not know.

Therefore, Sir, let us go into this thing, I need not say anything. It is a serious situation. Sir, I should have thought that having been in office after all these musical chairs—I was reading about it, some topsy turvy in the musical chair business—they should be immediately made to discuss and take immediate steps. I ask the Minister: Has he been there? Has my friend Mr. Zail Singh, a good, old friend, been there? No. As far as I know, he has not been there. In fact, as Minister he should have gone there. Sir, we read in the papers that Mr. Yashpal Kapoor—somebody else—has gone there. The Congress Party can send anybody it likes. Mr. Yashpal Kapoor is a senior leader of the Congress Party.

SHRI A. G. KULKARNI: Mr. Bhupesh, he has gone by a special plane . . .
(Interruptions).

SHRI BHUPESH GUPTA: I have no quarrel with that. The Congress Party can send anybody they like. It is their business. I am dealing with the Government here. Nobody was sent. But, then, Sir. We are getting back to the emergency style. During the emergency days, Mr. Yunus was the emissary of the Prime Minister, going round the world. Today we have Mr. Yashpal Kapoor as the emissary of the Prime Minister on the domestic front. He went there. Whom shall I ask a question? If the Minister had gone there, I could have asked a question. I should have written a letter. I could have written a letter to him. But why should I write a letter to an ex-Member of Parliament or a member of

[Shri Bhupesh Gupta]

another party? Not only that. Here is a news-item in the Patriot of the 23rd January entitled "Plane recalled for Kapoor" It says:

"GAUHATI, Jan. 22—The Indian Airlines flight No. 250 from Gauhati to Calcutta was recalled from midair to pick up a 'VVIP -----' "

I do not know how many 'Vs' you have, Sir.

"... passenger who had arrived at the airport over two hours late. The passenger was Mr. Yashpal Kapoor, Congress-I M.P.' "

When did he become a Cong-I M.P. by the way?

AN HON. MEMBER: This is a mistake of typing here. *(Interruptions)*.

SHRI BHUPESH GUPTA: If he was declared to be a 'VVIP' that means the Editor of the paper thought that he must be at least an M.P., and Prime Minister Indira Gandhi's emissary. Anyway:

"The flight was earlier delayed for two hours—from 1345 hours to 1545 hours—awaiting Mr. Kapoor's arrival at the airport in rain."

Wonderful! Wonderful thing! Sir, I would like to know whether it is true. The Minister in charge of Communication should get up to tell us. . . *(Interruptions)* Don't disturb. Sir, this is the kind of thing going on now. I think this is no way to tackle national problems. These grave apprehensions and misgivings recall to mind the emergency tactics. This is what I say. Will a plane be brought from the mid-air for the Vice-President? I have never heard such things in this House for so many years. A plane has been brought down from mid-air to pick up a gentleman who was late at the airport. Well, I should like an explanation from them. We are not going to keep silent on this resurrection of emergency

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method, mandate or no mandate. I make it very clear. Therefore, I say that Mr. Zail Singh should have gone and the Prime Minister should have gone there immediately after holding office. Madam Prime Minister made a sort of . . .

SHRI P. VENKATASUBBAIAH: On a point of order, Sir.

(Interruptions)

MR. CHAIRMAN: On what are you raising a point of order?

(Interruptions)

SHRI A. G. KULKARNI: A point of order cannot be raised by the Minister. Kindly see the rule.

(Interruptions)

MR. CHAIRMAN: Order, order. When I am standing, nobody will stand in this House. On what do you want to raise a point of order? Is it on his speech?

SHRI P. VENKATASUBBAIAH: Yes, Sir. I want to raise a point of order on his speech. He made certain allegations against a person who is not a Member of this House and who has no chance to defend himself. Proper notice should have been given.

(Interruptions)

SHRI A. G. KULKARNI: Under the rules, a Minister has no right to raise a point of order. Please consult the rules. — Also, he is not a Member of this House.

(Interruptions)

MR. CHAIRMAN: I am not listening to you because nobody can listen to you when six persons are talking at the same time. If ten people shout at the same time, nobody is heard. One at a time. It is not necessary for the whole party to shout.

SHRI A. G. KULKARNI: I have to make a submission. I want your ruling. My point is whether a Min-

ister, under the rules of the Rajya Sabha, is entitled to make a point of order. Kindly give a ruling first. Sir, Mr. Venkatasubbaiah is a good friend of mine. He is embarrassed. Don't show your embarrassment by raising ill-advised points of order.

(Interruptions)

SHRI ERA SEZHIYAN (Tamil Nadu): A Minister can raise a point of order. But he is not a Member of this House.

(Interruptions)

MR. CHAIRMAN: It is my intention now to let the shouting terminate. So, I shall hear you after the shouting has terminated.

SHRI S. W. DHABE (Maharashtra) : Can a person who is not a Member of this House raise a point of order? Formerly, a Minister was never allowed to raise a point of order. Can you break the convention?

SHRI SANKAR GHOSE (West Bengal): Mr. Chairman, Sir, I have a point of order.

MR. CHAIRMAN: Well, there cannot be a point of order on a point of order.

SHRI SANKAR GHOSE: Sir, I refer to rule 258¹ of the 'Rules of Procedure'. There is a heading called 'Points of Order'. And Rule 258 reads: "Any member . . .—Sir, I underline the words 'any Member'— . may at any time submit a point of order for the decision of the Chairman, but, in doing so, shall confine himself to stating the point." Here, it is 'any member'. I ask the learned Minister whether he is a Member of the House. Let him say so. Let the Minister get up and say that he is a Member of the House. Then I shall withdraw the point of order. He is a Minister and not a Member. *^Interruptions).*

SHRI DINESH GOSWAMI: Sir, I would like to point out another rule.

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MR. CHAIRMAN: I am quite aware of the Rules myself.

SHRI B. N. BANERJEE (Nominated) : Sir, there was a precedent which happened only a few months back when some hon. Members raised a point of order, and the learned Deputy Chairman very clearly said that a Minister who is not a Member of the House but who is, under the Constitution, entitled to participate in the proceedings of the House can raise a point of order. That was the ruling given on the floor of the House only a few months back.

SHRI A. G. KULKARNI: It was not on a point of order. A Minister can make statements and answer questions.

SHRI SANKAR GHOSE: That is a different thing.

SHRI ERA SEZHIYAN: Sir, may I refer to one more fact, and after that, you can give a decision? That is about the definition of a Member given under Rule 2 of the Rules of Procedure.

MR. CHAIRMAN: I know what you are saying. I am also aware of the definition. (Please sit down. I have done it for 50 years now. At page 112, there is Rule 258 which reads: "Any member may at any time submit a point of order for the decision of the Chairman, but, in doing so, shall confine himself to stating the point." Here, the word is 'Member' which has been emphasised. The definition of a Member is this: 'Member' means a member of the Council of States (Rajya Sabha). So, the objection seems to be that as the hon. Minister is not a member of the Rajya Sabha . . . *(Interruptions).* Kindly listen to me. 'Member' means a member of the Council of States. So, the objection to the point of order raised by the hon. Minister is that he cannot raise a point of order because the rules only contemplate a member of the Council of

[Mr. Chairman].

States. But, there is the super law, namely, the Constitution. Article 18 reads: "Every Minister and the Attorney-General of India shall have the right to speak in, and otherwise to take part in the proceedings of, either House, any joint sitting of the Houses, and any committee of Parliament of which he may be named a member, and shall not by virtue of this article be entitled to vote."

SHRI BHUPESH GUPTA: 'Participation', Sir, may I ask you, what does it mean? Does it mean that he can say that he will come and occupy your chair?

MR. CHAIRMAN: No.

SHRI BHUPESH GUPTA: Sir, you say that you have seen this for fifty years. I have also been here for nearly 30 years.

MR. CHAIRMAN: I have not finished yet. I am trying to hear you out but you are trying not to hear me out. I have something to say. The point relates to 'otherwise to take part in the proceedings'. (*Interruptions*). Does it mean to take part in the proceedings to the same extent as any other Member or to go beyond the scope of the Rules? Now, here we follow the principle that earlier precedents weigh with the Chairman. I have been told that there is an instance when my predecessor had ruled that an hon. Minister when he is in the House will be entitled to raise a point of order. I think it would be wrong for us to depart from what has been once decided in this House. (*Interruptions*).

SHRI P. RAMAMURTI (Tamil Nadu): Shri Venkatasubbaiah has raised a point of order. I am not questioning your ruling.

MR. CHAIRMAN: I have already ruled that in view of the earlier precedent to which the Secretary-General has drawn my attention, I should follow that precedent and not depart from it. The hon. Minister will raise his point of order.

SHRI P. RAMAMURTI: He has already raised it.

SHRI P. VENKATASUBBAIAH: Sir, my point of order is this. Mr. Bhupesh Gupta in the course of his speech has made certain remarks against a person who is not a Member of this House and who is not in a position to defend himself. That is my point of order.

SHRI P. RAMAMURTI: Mr. Bhupesh Gupta did not make any allegation against Mr. Yashpal Kapur. He only raised the point, did the Government bring back the plane? The point he has raised is not against Mr. Yashpal Kapur. The point he raised is against the conduct of the Government and particularly the Ministry of Civil Aviation.

SHRI P. VENKATASUBBAIAH: Sir, you may kindly go through the proceedings.

MR. CHAIRMAN: I think when Mr. Bhupesh Gupta mentioned Mr. Yashpal Kapur, he was only illustrating his point that it should have been somebody connected with the Government who should have gone there. Therefore, he only said it to illustrate his meaning rather than to charge Mr. Yashpal Kapur with anything. I think the point of order should be disallowed.

SHRI BHUPESH GUPTA: Sir, you are quite right. Sir, I am very glad and I am grateful to you. You have cut short the difficulties also. I was not making any charge; you are quite right. In fact, my whole theme was to deal with the Government. Of course, I made another point, namely, that this emissary business, I do not like. Sir, we would not like to go back again to the days of the old Government to the days of the extra-constitutional authority whether in the mid-air or in the plane or in the planet.

Now, Sir, as far as Assam is concerned, obviously it has to be solved by all of us. Sir, much destruction has taken place and much loss of life has taken place. Some brutal murders have taken place; assassinations have taken place. If I go into details, it would take time; but it is not necessary. We all know it. For that matter, Sir, I would blame those who have exploited the situation. There are some chauvinistic elements even may be, some foreign agencies, who have sought to exploit the legitimate discontent of the people in order to disturb the situation in the whole region, particularly in Assam which is regarded as the heartland of that area. Therefore, my accusation is against those who have inspired it and tried to exploit it as always happens in our country. We find legitimate discontent is exploited sometimes even by some political parties, by political leaders. Who has done and what, we have to find out. We have reports that Amra-Bengali element were there; RSS elements were there I am told and some other elements were there. We have to find out as to what was done. It has been suggested that some foreign elements in league with the Central Intelligence Agency who had been active in the region, not only in Assam but in the neighbourhood also, were seen acting in order to create this situation. Therefore, let us not try to blame the people that way before you identify as to what are the forces behind it. Now, Sir, as far as foreign domination is concerned, we have got the citizenship law; we have got the Constitution. I am surprised, so incompetent we are, not now, not during the Janata rule, but during the Congress rule also we could not even settle that problem as to how the foreigners should be identified. A foreigner means a foreigner. No citizen of India is a foreigner, no matter whether he is welcome or unwelcome in a given area of the country. Why should it not be possible? Demands had been made; suggestions had been made. No steps were taken by the previous Government, then by this

Janata Government, then the caretaker Government which had become the undertaker of almost everything later on, I found. So, that is the position now. This question has to be gone into . . .

MR. CHAIRMAN: The hon. Member may be informed that the House will rise at 1 P.M. to reassemble and there are only two minutes left. How long would you take?

SHRI BHUPESH GUPTA: Fetter we rise. I can resume after lunch.

MR. CHAIRMAN: Please go on till 1 o'clock.

SHRI BHUPESH GUPTA: I am in full sympathy with you. Sir, you are very legitimately in a mood to rise; I rise with you.

MR. CHAIRMAN: The point is that we have got very important work in the afternoon session. I think the hon. Member is aware of it. I would suggest that we take half an hour over this matter but it is no use flogging a dead horse. It has been dead long ago.

SHRI BHUPESH GUPTA: Sir, no horse is dead here. Horses are pretending they are dead. Therefore, flogging will wake them up. Treasury Benches present some sleepy horses, not dead horses. Therefore, flogging is needed to get them into motion. I am not saying for my friend Mr. Zail Singh. He is not a horse dead or alive.

MR. CHAIRMAN: The House stands adjourned till 2.30 P.M.

The House then adjourned for lunch at one of the clock.

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

INTRODUCTION OF MINISTERS

THE PRIME MINISTER (SHRIMATI INDIRA GANDHI): Sir, with your permission; I have pleasure in